

Town of Marlborough
Planning Board Application

Application For: **(Check One)**

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

Application Number:

21-5007

Date of Submission:

1/22/21

Name of Project:

Rivercrest Lot 6 Subdivision

Location of Project:

12 Rivercrest Lane

Tax Section Block and Lot: 103.3 - 3 - 28.6

Zoning District: R Ag 1

Number of Acres: 2.885 Sq. Footage of Building: n/a

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

Subdivide Existing Lot

EMAIL: Ng12547@gmail.com

Name of Property Owner: Nima Contracting Inc

Address of Property Owner: 3121 RT 9W New Windsor NY 12553

Telephone Number of Property Owner: 845-740-4060

Name of Applicant: Nestor Gualdon

Address of Applicant: 3121 RT 9W New Windsor NY 12553

Telephone Number of Applicant: 845-742-4060

Name of Surveyor: Gutry Rick
Address of Surveyor: 24 Loring Drive Pine Bush NY 12566
Telephone Number of Surveyor: 845-361-3022

Name of Engineer: Louis DuBois PE
Address of Engineer: 116 Vincennes Ave Highland NY
Telephone Number of Engineer 845-691-2247

Name of Attorney: Todd Kelson
Address of Attorney: 542 Union Ave New Windsor NY 12553
Telephone Number of Attorney: 845-567-3010

Reason For Application: Subdivision
Description of Proposal: Subdivide Lot into Two Lots

Nicolaus Galletta
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 29, 2021

Re: Rivercrest Lane - 2 Lot Subdivision

S.B.L. : 103.3-3-28.6

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

XX : 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 : - **Town road, RAG - 1 District**

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. 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. Surveyor's Certification

12. Surveyor's seal and signature

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.

15. N/A Flood plain boundaries

16. N/A Federal Wetland Boundary

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

20. 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.

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

23. 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.

26. N/A Applicable note pertaining to owners review and concurrence.

27. Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc.

28. Show all existing houses, accessory structures, wells and septic systems on and within 200 feet of the parcel to be subdivided.

29. 2 Foot Contours

30. Indicate any reference to a previous subdivision, i.e., filed map number, data and previous lot number.

31. N/A If a private road, Town Board approval of name required, and notes on the plan that no Town services will be provided and a street sign (per Town specs) is to be furnished and installed.

32. 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.

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. / Planning Board approval block 4" x 2"

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

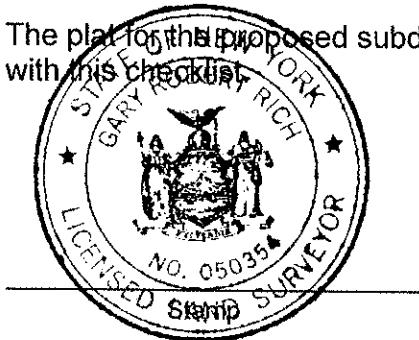
40. N/A Sight distance of all intersections and driveways.

41. N/A Ridgeline and steep slope notation.

42. N/A Agricultural setbacks.

43. / After final approval is given by the Planning Board, the Building dept. needs to be contacted for further guidance.

The plan for this proposed subdivision, site plan, or lot line revision has been prepared in accordance with this checklist.



By:

Gary R. Rich
Licensed Professional

1/22/21

Date

Legal Notices for Public Hearing

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

Procedure for Notice:

1. Planning Board will schedule Public Hearing during a regularly scheduled meeting, after approval for such is granted.
2. Applicant is to obtain surrounding property owner names and addresses from Assessor's Office.
3. Applicant is to send Public Notice Letter, obtained from Planning Board Office, via Certified Mail with Return Receipt to property owners no less than 10 days prior to Public Hearing.
4. Planning Board Office will send notification to the town's official newspaper.
5. All Certified Mail with Return Receipt receipts and a copy of the Assessor's listing of names and addresses must be submitted at Public Hearing.

Any questions regarding procedures may be answered at 845-795-5243.

Ethics Code

TOWN OF MARLBOROUGH NOTICE OF DISCLOSURE OF INTEREST

In accordance with the Town of Marlborough Code of Ethics, Article 13-3 (E) and Public Officers Law § 209, the following disclosure notice ("notice") must be completed and signed by any individual, including any officer or employee of the Town of Marlborough, who has an application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, special use permit, site plan, subdivision, exemption from a plat or official map, license or permit, pursuant to the provisions of the zoning and planning regulations of the Town of Marlborough before any Town of Marlborough Board, Agency or Department ("decision-making authority"), in which a Town officer or employee has an interest in the subject of the application. The purpose of the disclosure notice is to identify and disclose any potential or actual conflict of interest for the Town employee or officer, which may compromise his/her ability to make decisions solely in the public interest. Please refer to the Town of Marlborough Code of Ethics for further information.

Under the Town of Marlborough Code of Ethics an interest is defined as: a participation, connection or involvement of any sort whether direct or indirect, pecuniary or non-pecuniary, personal or professional, which may result in a benefit. For the purposes of the Town of Marlborough Code of Ethics, the "interests" of a Town officer or employee shall be deemed to include the "interest" of:

- A. An immediate family member. Immediate family member is defined as: grand parents, parents, spouse, significant other, children, grand children, brother, sister, dependent, or any household member of a Town officer, Town Board member or employee.
- B. Any person other than a bank, trust company or other lending institution with whom he/she has a substantial debtor-creditor or other financial relationship.
- C. Any person by whom he/she is employed or of which he/she is an officer, director or member having a controlling interest in any business or enterprise in which the Town employee or officer holds stock or has any other profit-bearing or beneficial relationship.
- D. An officer or employee shall also be deemed to have an interest in a matter if he/she or any person described in A through C above is a party to an agreement, expressed or implied, with any applicant before any Board of the Town, whereby he/she may receive any payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of any such application, petition or request by any Town body.

This notice must be completed and included with the application, petition or request to the appropriate Town of Marlborough Board, Agency or Department.

I, Nicholas Gubelin, residing at 312, Rt 9W New London NY 12553, make the following statements about interests in the real property which is the subject of this application, petition or request for a Subdivision, before the Planning Board of The Town of Marlborough.

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

A. Individuals with an interest in the property.

1. No individual, having an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person having an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

B. Corporations or other entities with an interest in the property.

1. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity, which has an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

C. Stockholder or controlling interest

1. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

D. Party to an agreement with the applicant

1. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application; petition or request for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request for the subject property is a immediate family member of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

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

PART III: This completed notice is to be submitted to the Board, Agency or Department that is authorized to review and render a decision on the application, petition or request. Further, the submittal must be made prior to any review of the application, petition or request. This notice shall be made part of that decision-making authority's official record, disclosing the exact nature of the conflict in detail. If there is an actual or potential conflict, the Town officer or employee shall abstain from voting or otherwise acting on the application, petition or request so as to avoid an actual conflict.

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

PLEASE TAKE NOTICE....A KNOWINGLY FALSE STATEMENT IS PUNISHABLE UNDER
N.Y. GEN. MUN. LAW § 809 AS A MISDEMEANOR

Signed: J. Holloman
Date: 1/22/21

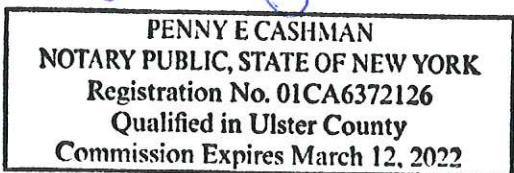
ACKNOWLEDGMENT

State of New York
County of:

On 11/22/2021, before me personally appeared Nicholas Gallego, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that [he/she/they] executed the same in [his/her/their] capacity(ies), and that by [his/her/their] signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary

Reuyl Caylor



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.

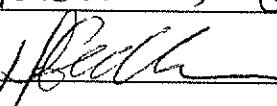
AFTER FINAL APPROVAL IS GIVEN BY THE PLANNING BOARD, THE BUILDING DEPT. MUST BE CONTACTED FOR FURTHER GUIDANCE.

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): Nicolaus Galleher

Applicant's Signature: 

Date: 1/22/21

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

Letter of Agent

I (We), Nicholas Galletta am (are) the owner(s) of a parcel of land located on 12 Rivercrest Lane in the Town of Marlborough, Tax Map Designation: Section 103.3 Block 3 Lot 28.6.

I (We) hereby authorize Greg R Reid 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 Ulster } SS:

On the 22nd day of January in the year 2021 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.

Penny E Cashman
Notary Public

PENNY E CASHMAN NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01CA6372126 Qualified in Ulster County Commission Expires March 12, 2022
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Short Environmental Assessment Form

Part 1 - Project Information

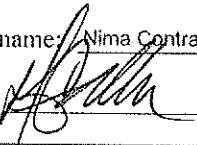
Instructions for Completing

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

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

Part 1 – Project and Sponsor Information		
Name of Action or Project: Rivercrest Lot 6 Subdivision		
Project Location (describe, and attach a location map): 12 Rivercrest Lane		
Brief Description of Proposed Action: Subdivide existing lot into two parcels		
Name of Applicant or Sponsor: Sponsor: Gary Rich L.S.		Telephone: 845-361-3022 E-Mail: grich@hvc.rr.com
Address: 24 Lang Drive		
City/PO: Pine Bush		State: NY Zip Code: 12566
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Marlborough Planning Board		NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ b. Total acreage to be physically disturbed? _____ c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____		2.86 acres 1 acres 2.86 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) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland		

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<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? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Drilled well _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ In ground SDS _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input 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	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____			

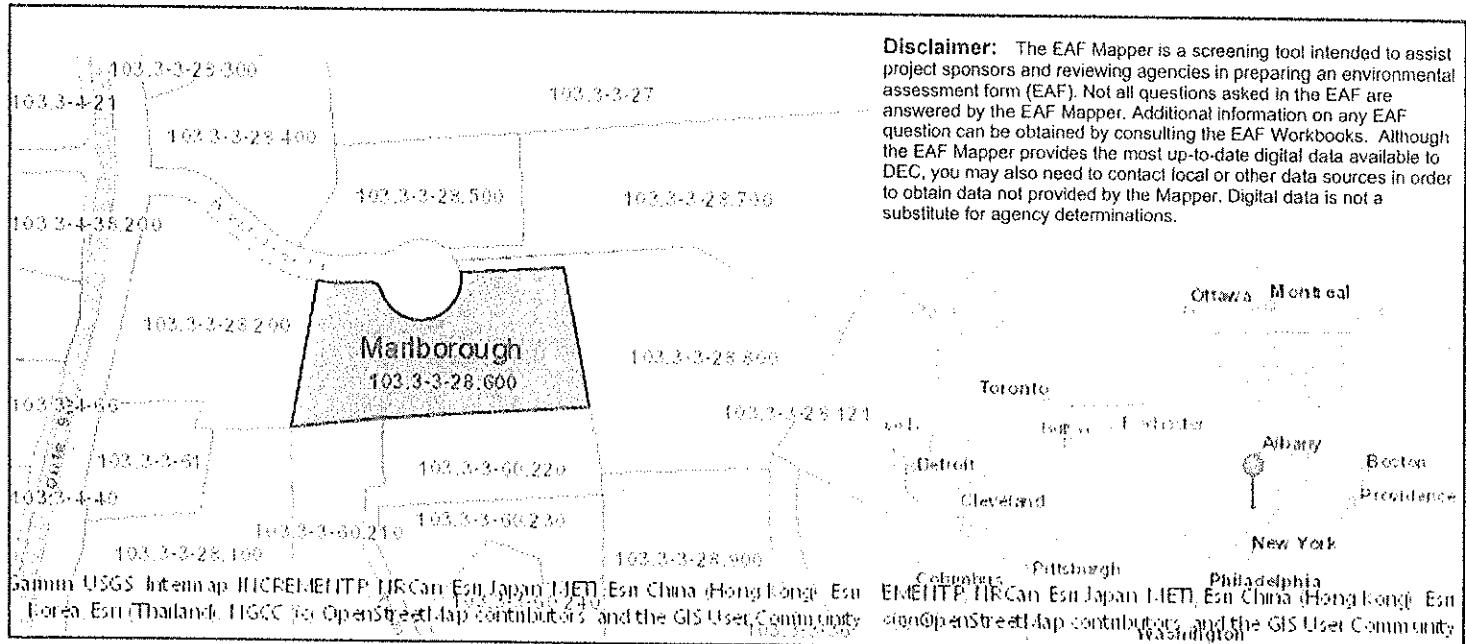
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline	<input type="checkbox"/> Forest	<input type="checkbox"/> Agricultural/grasslands	<input type="checkbox"/> Early mid-successional
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?			
Atlantic Sturgeon, Shortnose...			
16. Is the project site located in the 100-year flood plan?			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources?			
If Yes,			
a. Will storm water discharges flow to adjacent properties?			
<input type="checkbox"/>			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe:			
Existing catch basin			
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:			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NO	YES
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:			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NO	YES
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:			
Buffer area is set to 2000 feet from this parcel			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO	YES
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor/name: Nima Contracting Inc.		Date: 3/28/2021	
Signature: 		Title: owner/pres.	

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

Applicant/sponsor/name: Nima Contracting Inc.

Date: 3/28/2021

Signature: Title: owner/pres



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]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes



ULSTER COUNTY – STATE OF NEW YORK
NINA POSTUPACK, COUNTY CLERK
244 FAIR STREET, KINGSTON, NEW YORK 12401

34

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 6705 / 70
INSTRUMENT #: 2020-16435

Receipt #: 20201811307

Clerk: SM

Rec Date: 11/05/2020 11:13:09 AM

Doc Grp: D

Descrip: DEED

Num Pgs: 5

Rec'd Frm: ORAL W. SMITH AGENCY, INC.

Recording:

Cover Page	5.00
Recording Fee	35.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 - County	9.00
RP5217 All others - State	241.00

Sub Total: 315.00

Transfer Tax	
Transfer Tax - State	170.00

Sub Total: 170.00

Party1: BUCHNER HAROLD W

Party2: NIMA CONTRACTING INC

Town: MARLBOROUGH

Total: 485.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 1957

Transfer Tax

Consideration: 42500.00

Transfer Tax - State 170.00

Total: 170.00

WARNING***

*** Information may be amended during the verification process, and may not be reflected on this cover page.

Record and Return To:

THIS PAGE CONSTITUTES THE CLERK'S ENDORSEMENT, REQUIRED BY SECTION 316-a (5) & 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK.

ELECTRONICALLY RECORDED BY SIMPLIFILE

Nina Postupack
Nina Postupack
Ulster County Clerk

103.3-3-28-6

WC-7083

Bargain & Sale Deed

THIS INDENTURE, made on the 21st day of August, 2020

BETWEEN

HAROLD W. BUCHNER and CAROLE S. BUCHNER, residing at 8 Dallas Drive, Poughkeepsie, NY 12603,

party of the first part, and

NIMA CONTRACTING, INC., with offices at 3121 Route 9W, New Windsor, NY 12553,

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 THAT CERTAIN PIECE OR PARCEL OF LAND, with the buildings and improvements thereon erected, situate, lying and being in the Town of Marlborough, County of Ulster and State of New York, more particularly, bounded and described in annexed Schedule A.

BEING the same premises conveyed by Leslie Carroll a/k/a Leslie Rosenberg to Harold W. Buchner and Carole S. Buchner by Deed dated September 5, 2013 and recorded September 23, 2013 in the Ulster County Clerk's Office as Instrument #2013-15546.

SUBJECT to any state of facts a personal inspection and accurate survey will disclose.

SUBJECT to covenants, conditions, restrictions, reservations, rights-of-way, utility or other easements, agreements or sell-offs in former deed or other instrument of record, if any.

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:



Harold W. Buckner



Carole S. Buckner

STATE OF NEW YORK, COUNTY OF DUTCHESS, ss.:

On Aug. 5 19 2020 before me, the undersigned HAROLD W. BUCHNER and CAROLE S. BUCHNER personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is subscribed to the within 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 acted, executed the instrument(s).



NOTARY PUBLIC

DAVID A. SEARS
Notary Public, State of New York
No. Cr 04974156
Qualified in Dutchess County
Commission Expires Nov. 5, 2022

RECORD & RETURN TO:

Todd A. Kelson, Esq.
542 Union Avenue
New Windsor, NY 12553

Rivercrest Lane
103-3-3-28-6

Mid-Hudson Abstract, Inc.
Title No. WC-7083

WESTCOR LAND TITLE INSURANCE COMPANY
MID-HUDSON ABSTRACT, INC.
TITLE NO.: WC-7083
SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Marlborough, County of Ulster and State of New York, being designated as Lot No. 6 on a certain map entitled, "American Land Preservation Corporation, Subdivision Plan" filed May 18, 1998 in the Office of the Ulster County Clerk as Filed Map No. 11073A.

New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505
(NOTE: Submit completed form to address above)

NOTICE OF TERMINATION for Storm Water Discharges Authorized
under the SPDES General Permit for Construction Activity

Please indicate your permit identification number: NYR 11 E 679

I. Owner or Operator Information

1. Owner/Operator Name: Nima Contracting Inc.
2. Street Address: 3121 Route 9W
3. City/State/Zip: New Windsor, N.Y. 12553
4. Contact Person: Nicholas Gal 4a. Telephone: 845-670-4656
4b. Contact Person E-Mail: nima12553@gmail.com

II. Project Site Information

5. Project/Site Name: 3-Lot Subdivision ~ Nima Contracting Inc.
6. Street Address: Ridge Road
7. City/Zip: Marlboro 12542
8. County: Ulster

III. Reason for Termination

9a. All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP. *Date final stabilization completed (month/year): 7/2020

9b. Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR _____

(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c. Other (Explain on Page 2)

IV. Final Site Information:

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices? yes no (If no, go to question 10f.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed? yes no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

Town of Marlborough

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDES General Permit for Construction Activity - continued

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	
10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s): <input type="checkbox"/> Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality. <input type="checkbox"/> Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s). <input type="checkbox"/> For post-construction stormwater management practices that are privately owned, a mechanism is in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record. <input checked="" type="checkbox"/> For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.	
10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? <u>0.2 acres</u> (acres)	
11. Is this project subject to the requirements of a regulated, traditional land use control MS4? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no (If Yes, complete section VI - "MS4 Acceptance" statement)	
V. Additional Information/Explanation: (Use this section to answer questions 9c. and 10b., if applicable)	
VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative (Note: Not required when 9b. is checked -transfer of coverage)	
I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time.	
Printed Name: <u>ALPHONSO P. LANZETTA</u>	
Title/Position: <u>Supervisor</u>	
Signature: <u>Alphonso P. Lanzetta</u>	Date: <u>01-21-2021</u>

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDES General Permit for Construction Activity - continued

VII. Qualified Inspector Certification - Final Stabilization:

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name: *Louis S. Dubois, P.E.*

Title/Position: *Professional Engineer*

Signature: *LSD* Date: *7/3/2020*

VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name: *Louis S. Dubois, P.E.*

Title/Position: *Professional Engineer*

Signature: *LSD* Date: *7/3/2020*

IX. Owner or Operator Certification

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name: *Nicholas Grimaldi*

Title/Position: *Owner*

Signature: *N. Grimaldi* Date: *7/1/2020*