

Town of Marlborough Planning Board Application

Application For: *(Check One)*

Subdivision

Site Plan

Lot Line Revision

Application Number:

21-50251

Date of Submission:

11/2/21

Name of Project: Passante Subdivision

Location of Project: 104 Peach Lane, Milton, NY 10547

Tax Section Block and Lot: 95.4 - 3 - 16.200

Zoning District: R-AG-1

Number of Acres: 5.316 Sq. Footage of Building: TBD (Lot 2B) Lot 2A 1520 Sq Ft

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

EMAIL: Liza@dpny@gmail.com

Name of Property Owner: Derek & Liza Passante

Address of Property Owner: 104 Peach Lane, Milton, NY 10547

Telephone Number of Property Owner: (914) 489-3889 (914) 452-7923

Name of Applicant: Same as above

Address of Applicant:

Telephone Number of Applicant:

Name of Surveyor: Brinnier & Larios, P. C.

Address of Surveyor: 67 Maiden Ln Kingston, NY 12401

Telephone Number of Surveyor: (845) 338-7622

Name of Engineer: Brooks & Brooks

Address of Engineer:

Telephone Number of Engineer:

Name of Attorney:

Address of Attorney:

Telephone Number of Attorney:

Reason For Application: Subdivision

Description of Proposal: Subdivide to sell in the future

Derek & Liza Passante
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: November 3, 2021

Re: Passante Subdivision

S.B.L. : 95.4-3-16.200

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.

 : The application is rejected for the following reasons :

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 *Self representing*
 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. NYSDEC Wetland and 100 foot buffer zone with an appropriate Certification block regarding DEC requirements.

15. N/A Flood plain boundaries *✓ within Flood plain*

16. N/A Federal Wetland Boundary *✓ wet lands present*

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. *no Rds proposed.*

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

23. Number of lots including residual lot.

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

25. A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads.

26. 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. *No private Rd.*

32. N/A The amount of grading expected or known to be required to bring the site to readiness. *No expected grading*

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

34. N/A Estimated or known cubic yards of fill required. *no construction disturbance proposed*

35. N/A The amount of grading expected or known to be required to bring the site to readiness. *(see 32)*

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. *There are no wet lands* *no CEA*

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. *no wet lands within 200ft of site*

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

39. ✓ Special district boundaries, agricultural, school, fire, water, sewer, etc. *no CEA*

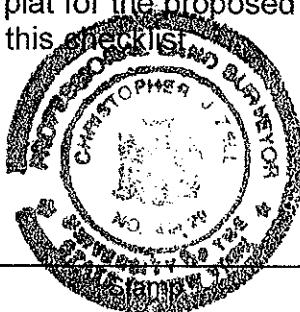
40. ✓ Sight distance of all intersections and driveways.

41. N/A Ridgeline and steep slope notation. *No ridgeline or steep slopes*

42. ✓ Agricultural setbacks.

43. _____ 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: *Christopher B. B.*
Licensed Professional
Date: *10/28/21*

AGRICULTURAL DATA STATEMENT

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant: Derek & Liza Passante
Mailing address: 164 Peach Lane
Milton, NY 10547

B. Description of the proposed project: Subdivid to sell in the future.

C. Project site address: Same as above Town: Milton

D. Project site tax map number: 12-131

E: The project is located on property:
 within an Agricultural District containing a farm operation, or
 with boundaries within 500 feet of a farm operation located in an Agricultural District.

F. Number of acres affected by project: 1.123

G. Is any portion of the project site currently being farmed?
 Yes. If yes, how many acres _____ or square feet _____ ?
 No.

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed.

DANIVY ALBINDER 139 Peach Ln

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in Item H above.

FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

Liza Passante (owner)

Name and Title of Person Completing Form

10/17/21

Date

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, Derek + Lize Passante, residing at 64 Peach Ln. Milton, NY 10547, make the following statements about interests in the real property which is the subject of this application, petition or request for a Sub-division, before the _____ 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: John Paul S
Date: 10/17/20 11/2/21

ACKNOWLEDGMENT

State of New York
County of:

On 11/2/2021, before me personally appeared Liza Passante, 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.

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

Notary

9

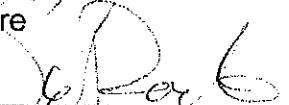
Letter of Agent

I (We), Derek + Liza Passante am (are) the owner(s) of a parcel of land located on 64 Peach Ln Milton, NY 12547 in the Town of Marlborough, Tax Map Designation: Section _____ Block _____ Lot _____.

I (We) hereby authorize Patricia Brooks 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

11/2/21
Date

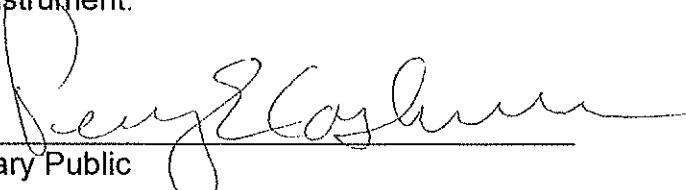

Signature

11/2/21
Date

State Of New York
County Of Ulster } SS:

On the 2nd day of November in the year 2021 before me, the undersigned, a Notary Public in and for said State, personally appeared

Liza Passante, 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.


Notary Public

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

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		
<p>Name of Action or Project: Proposed 2-Lot Subdivision of Lands of Derek and Liza Passante</p> <p>Project Location (describe, and attach a location map): 64 Peach Lane, Milton</p> <p>Brief Description of Proposed Action: Residential (single-family) subdivision of lands of Passante</p> <p>Proposed: Lot 2A..... 4.139 Acres Lot 2B..... 1.123 Acres</p> <p>*NO CONSTRUCTION ON LOT 2B PLANNED AT THIS TIME.</p>		
<p>Name of Applicant or Sponsor: Liza and Derek Passante</p> <p>Address: 64 Peach Lane</p> <p>City/PO: Milton</p>		<p>Telephone: 914-489-3889</p> <p>E-Mail: LIZAdpny@gmail.com</p>
<p>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.</p> <p>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:</p> <p>3. a. Total acreage of the site of the proposed action? _____ 5.316 acres b. Total acreage to be physically disturbed? _____ > 1.00 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 5.316 acres</p> <p>4. Check all land uses that occur on, are adjoining or near the proposed action:</p> <p>5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland</p>		<p>NO</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>YES</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>

5. Is the proposed action,	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. Are public transportation services available at or near the site of the proposed action?	NO	YES	
<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?	NO	YES	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ N/A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ <u>PRIVATE WELL TO BE INSTALLED ON PROPOSED LOT 2B</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ <u>PRIVATE SEWAGE DISPOSAL SYSTEM TO BE INSTALLED ON PROPOSED LOT 2</u>	<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?	NO	YES	
<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?	NO	YES	
<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?

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

a. Will storm water discharges flow to adjacent properties?

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

If Yes, briefly describe:

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

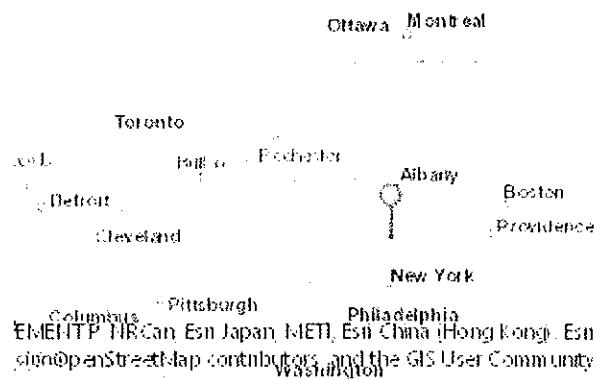
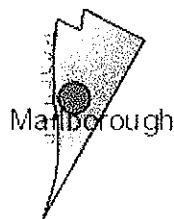
Applicant/sponsor/name: _____ Date: _____

Signature: _____ Title: Owner / Applicant

EAF Mapper Summary Report

Thursday, September 16, 2021 1:49 PM

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.



Samin, USGS, Internmap, INCREMENTP, HRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), IIGCC, 10 OpenStreetMap contributors, and the GIS User Community

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] No

Part 1 / Question 16 [100 Year Flood Plain] No

Part 1 / Question 20 [Remediation Site] No



WESTCOR
Land Title Insurance Company

DEREK PASSANTE
LIZA PASSANTE

POLICY NO.
OP-22-NY1024-3510575

ALTA OWNER'S POLICY (6-17-06) TITLE#ULA-14-135-U

ISSUED BY

WESTCOR LAND TITLE INSURANCE COMPANY

OWNER'S POLICY OF TITLE INSURANCE

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, WESTCOR LAND TITLE INSURANCE COMPANY, a California corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from:
 - (a) A defect in the Title caused by:
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.

COVERED RISKS Continued on next page

IN WITNESS WHEREOF, WESTCOR LAND TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of the Date of Policy shown in Schedule A,

Issued By:

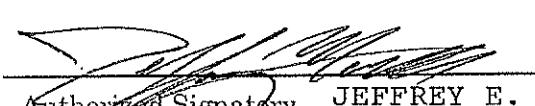
NY1024 * ULA-14-135-U

Universal Land Abstract, Inc.

207 Fair Street, Post Office Box 3538

Kingston, NY 12402

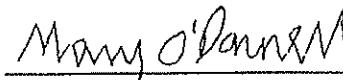
WESTCOR LAND TITLE INSURANCE COMPANY


Authorized Signatory

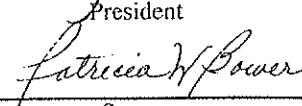
JEFFREY E. MOVALL



By:


President

Attest:


Secretary

Development Site: 64 PEACH LANE (T/V/C): MARLBOROUGH County: ULSTER

Date: AUGUST 27, 2021 Tests Conducted By: WALTER ECKERT, BRINNIER & LARIOS PC

Weather Conditions: 95 DEGREES, HUMID

Test Hole No.	Test Hole Depth (inches)	Lot No.	Soil Profile Description and Groundwater Depth (if identified)	Presoaking Date & Time	Time	Percolation Test					
						1	2	3	4	5	6
1	24"	2B	CLAY LOAM W/ STONES WET	8/26/21 3:00PM	End	10:40	11:30	12:40	1:50		
					Begin	10:10	10:45	11:30	12:40		
					Result	30	45	70	70		
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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): Derek Passante

Applicant's Signature: Derek Passante

Date: 10/17/21

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