



MARGARET M. HILLRIEGEL
Licensed Land Surveyor

372 OREGON TRAIL
PINE BUSH, NEW YORK 12566
(845) 744-2072



TRANSMITTAL

DATE: June 27, 2022

TO: Planning Board

COMPANY: Town of Marlborough

ADDRESS: 21 Milton Turnpike

Milton, New York 12547

FROM: Peg Hillriegel

SUBJECT: Lot line revision for Nima Contracting Inc. – Nick Galella

MESSAGE:

Attached are 12 copies of the plans for the proposed lot line revision for lands of Nima Contracting, Inc. This plat represents a lot line change, no new lots are being created. The proposed layout will create frontage to the rear, landlocked parcel. Each of the new parcels will run to the centerline of River Vista Drive. River Vista Drive was created as per a map entitled "American Land Preservation Corporation" filed in the Ulster County Clerk's office on May 18, 1998 as Map number 11073.

A number of the items noted on the check list are being asked to be waived as the above filed map created the road and included these items, including 2 foot contours, the amount of grading and other roadway design requirements. The roadway has been graded and the 3 parcels can be accessed by the existing driveway without much additional work.

Please place this project on the next available planning board agenda and do not hesitate to call if you have any comments or questions.

Town of Marlborough Planning Board Application

Application For: (Check One)

Subdivision ☐

Site Plan ☐

Lot Line Revision ☒

Application Number: _____

Date of Submission: _____

Name of Project: Lot line revision for Nima Contracting Inc.

Location of Project: River Vista Drive, off Kris Korner

Tax Section Block and Lot: 103.3-3-28.9, 28.121, & 28.122

Zoning District: R-Ag-1

Number of Acres: 14.815 Sq. Footage of Building: _____

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

Lot line revision to allow access to the existng rear, land locked parcel

EMAIL: ng12547@gmail.com or nima12553@gmail.com

Name of Property Owner: Nima Contracting, Inc.

Address of Property Owner: 3121 Route 9W, New Windsor, New York 12553

Telephone Number of Property Owner: 845 742-4060

Name of Applicant: Nick Galella for Nima Contracting Inc.

Address of Applicant: same as above

Telephone Number of Applicant: _____

Name of Surveyor: Margaret M. Hillriegel L.S.

Address of Surveyor: 372 Oregon Trail, Pine Bush, New York 12566

Telephone Number of Surveyor: 845 744-2072

Name of Engineer: Louis DuBois

Address of Engineer: 8 Cook Lane New Paltz, New York 12561

Telephone Number of Engineer 845 224-7102

Name of Attorney:

Address of Attorney:

Telephone Number of Attorney:

Reason For Application:

Lot line revision

Description of Proposal:

Lot line revision only, no new lots are proposed.

The rear, land locted parel will now have access over River Visa Drive.

Each lot will own to the centerline of the private roadway.

Nima Contracting Inc.

Applicant's Name

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			
Lot line revision for lands of Nima Contracting, Inc.			
Name of Action or Project: Lot line revision for lands of Nima Contracting, Inc.			
Project Location (describe, and attach a location map): River Vista Drive off Kris Korner			
Brief Description of Proposed Action: The proposal is for a lot line revision only, no new lots are proposed. This lot line revision will give road access to the rear, land locked parcel. Each of these three parcels will own to the centerline of River Vista Drive			
Name of Applicant or Sponsor: Nick Galella for Nima Contracting Inc.		Telephone: 845 742-4060 E-Mail: ng12547@gmail.com nima12553@gmail.com	
Address: 3121 Route 9W			
City/PO: New Windsor		State: NY	Zip Code: 12553
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 checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? 14.815 acres b. Total acreage to be physically disturbed? 4.0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 14.815 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
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 checked="" 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?	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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ Individual wells	<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: _____ Individual Septic systems	<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 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	
	<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: _____ _____ _____			

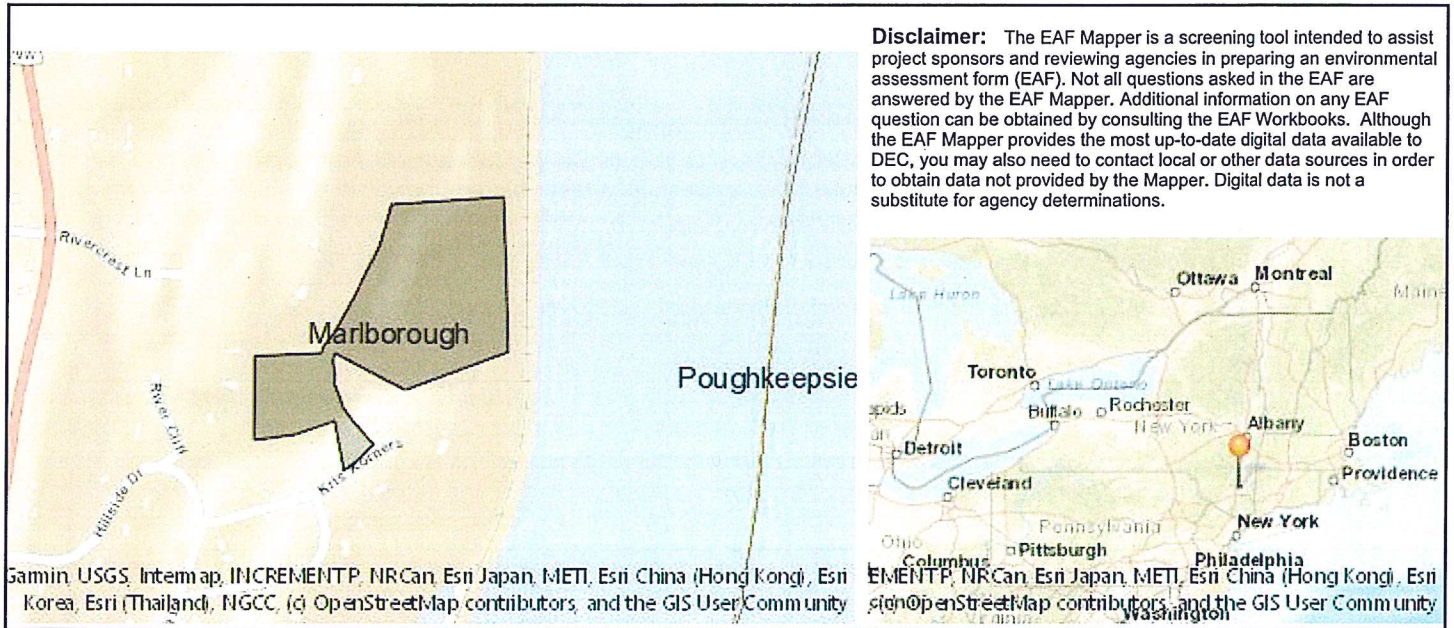
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input 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, Shortnos...	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 type="checkbox"/>	<input checked="" type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: Margaret M. Hillriegel L.S. Date: June 27, 2022		
Signature: <u>Margaret M. Hillriegel</u> Title: Land Surveyor		



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]	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

Letter of Agent

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.

Notary Public

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S
ACTS (INDIVIDUAL OR CORPORATION)**

FORM 8002 (short version), FORM 8007 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND
PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the 20th day of June, 2022,

BETWEEN Uzma Zaib, of 12 Knox Road, Highland Falls, New York 10928,

party of the first part, and

Nima Contracting, Inc. of 3121 Route 9W, New Windsor, New York 12553,

party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, 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 plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Marlboro, County of Ulster, State of New York;

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.

BEING and intended to be the same premises as conveyed from Iftikhar Malik by deed dated August 12, 2021, recorded on August 27, 2021 in the Ulster County Clerk's Office in Liber 2021, Page 16914. Iftikhar Malik died a resident of Highland Mills, New York on September 21, 2021.

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.

Section: 103.3, Block: 3, Lot: 28.122

Schedule A Description

ALL that certain plot, piece or parcel of land situate lying and being the Town of Marlborough, County of Ulster and State of New York, being a portion of Section 103.30, Block 3, Lot 27 as shown on a Boundary Survey entitled "Lot Line Reconciliation for Frances Barry, Section 103.3, Block 3, Lot 27, 1612 Route 9W" prepared by Maser Consulting, P.A. on November 15, 2006, being bounded and described as follows:

BEGINNING at a point located North 85 58' 18" East, a distance of 1102.49 feet from a bent iron rod found near the southwest corner of other lands of Frances Barry, said rod also being located near the northwest corner of Tax Lot 103.3-2-28.5, lands now or formerly American Land Preservation Corp.;

RUNNING from said point and place of beginning, (1) North 86 01' 30" East passing an iron bar found 5.50 feet East and 0.97 feet South of said point and place of beginning, for distance of 499.97 feet, along the southerly bounds of lands now or formerly Onusco, Section 103.3, Block 3, Lot 19, to a point;

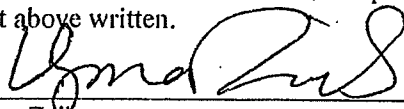
THENCE (2) South 00 51' 44" East for a distance of 362.98 feet, along lands now or formerly West Shore and Buffalo Railroad, to a point;

THENCE (3) North 85 51' 37" West for a distance of 362.98 feet, along lands now formerly West Shore and Buffalo Railroad, to a point;

THENCE (4) North 51 40' 28" West for a distance of 201.27 feet, continuing along the aforesaid northerly bounds of American Preservation Corp., to a point;

THENCE (%) North 15 31' 06" East for a distance of 181.50 feet along the easterly bounds of lands now or formerly Hain, Section 103.3, Block 3, lot 28.7, and generally along a stone wall, to the point and place of BEGINNING.

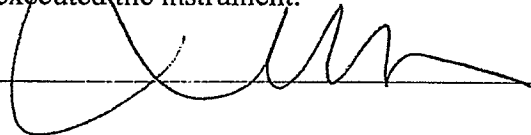
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.


By: Uzma Zaib

Acknowledgment by a Person Within New York State (RPL § 309-a)

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

On the 20th day of June, in the year 2022, before me, the undersigned, personally appeared **Uzma Zaib**, 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 she executed the same in her capacity(ies), and that by her signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



MICHELLE ANDERSON NOTARY PUBLIC, STATE OF NEW YORK Registration No. 02AN4972943 Qualified in Orange County Commission Expires October 9, 2022

Section: 103.3, Block: 3, Lot: 28.122



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

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 7052 / 184
INSTRUMENT #: 2022-7367

Receipt#: 2022031865
Clerk: SM
Rec Date: 04/25/2022 01:44:33 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 8
Rec'd Frm: J T ABSTRACT INC

Party1: BUCHNER HAROLD W
Party2: NIMA CONTRACTING INC
Town: MARLBOROUGH

Recording:

Cover Page	5.00
Recording Fee	50.00
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: 330.00

Transfer Tax
Transfer Tax - State 1020.00

Sub Total: 1020.00

Total: 1350.00

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

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

Transfer Tax #: 5148

Transfer Tax

Consideration: 255000.00

Transfer Tax - State 1020.00

Total: 1020.00

Record and Return To:

ELECTRONICALLY RECORDED BY CSC

WARNING***

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

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.

Nina Postupack
Nina Postupack
Ulster County Clerk

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

THIS INDENTURE, made this 25th day of March, in the year Two Thousand Twenty-Two

BETWEEN

HAROLD W. BUCHNER and CAROLE S. BUCHNER, as tenants in common, 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 (\$10.00) Dollars, actual 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 those certain plots, pieces or parcels of land, situate, lying and being in the Town of Marlborough, County of Ulster and State of New York, and being more particularly bounded and described on Schedule "A" attached.

BEING and intended to be the same premises conveyed by Harold W. Buchner and Carole S. Buchner to Harold W. Buchner and Carole S. Buchner as tenants in common by Deed dated March 14, 2013 and recorded March 27, 2013 in the Ulster County Clerk's Office in Instrument No. 2013-2055.

TOGETHER with all right, title and interest, if any of the party of the first part in and to any streets and road 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 to 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 purposes 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 purposes.

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:

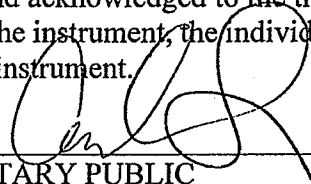


HAROLD W. BUCHNER


CAROLE S. BUCHNER

STATE OF NEW YORK)
)ss:
COUNTY OF DUTCHESS)

On this 1st day of February, 2022, before me, the undersigned, a notary public in and or the said state, personally appeared HAROLD W. BUCHNER and CAROLE S. BUCHNER personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their capacity and that by their signature on the instrument, the individual of the person upon behalf of which the individual acted, executed the instrument.



NOTARY PUBLIC

CARLA SALVATORE
Notary Public, State of New York
No. 01SA6371782
Qualified in Dutchess County
Commission Expires March 05, 2022

Record & Return to:
Todd A. Kelson, Esq.
542 Union Avenue
New Windsor, NY 12553

River Vista Drive
103.3-3-28.900
103.3-3-28.121

Schedule A Description

Title Number JT-1250R

Page 1

PARCEL 1: SBL: 103.3-3-28.900

All that certain piece or parcel of land situate in the Town of Marlboro, County of Ulster, State of New York, being Lot #9 on a subdivision Map for American Land Preservation, filed in the Ulster County Clerk's Office on May 18, 1998 as Map number 11073. being described as follows:

Beginning at 1/2" iron rod set, 2" above grade in the Northerly line of Kris Korner, said point also being Easterly most corner lands now or formerly Kitson, Liber 2665, Page 108, said point also being the Southerly most corner of the herein described parcel;

Thence along said lands now or formerly Kitson, Liber 2665, Page 108, the following Three (3) courses and distances:

1. North 09 15' 39" West 216.40' to a found capped iron rod;
2. South 68 06' 41" West 63.00' generally along a stonewall;
3. South 69.54' 11" West 117.77' generally along a stonewall to a point 0.7 from a found 5/8" iron rod;

Thence continuing along said lands now or formerly Kitson, Liber 2665, Page 109, and along lands now or formerly Blair & Gerbes, Liber 6148, Page 230, South 81 53' 31" West 171.92' passing through a found iron rod on line at 171.4';

Thence continuing along said lands now or formerly Blair & Gerbes, Liber 6148, Page 230, South 82 19' 56" West 16.88' to a 1/2" iron rod set;

Thence along lands now or formerly McDonough & Pressmar, Liber 3125, Page 132, lands now or formerly Nycz, Liber 6286, Page 267, and lands now or formerly Wood Family Trust, Liber 6371, Page 228, North 02 30' 28" West 361.26' to a 1/2" iron set, 2" Above grade;

Thence along lands now or formerly Wood Family Trust, Liber 6379, Page 280, North 86 38' 27" East 328.03' to a 1/2" iron rod set, flush with ground;

Thence along lands now or formerly Buchner, Liber 5536, Page 13, a portion of lot #11, as shown on the above mentioned map, the Following Two (2) courses and distances:

1. Along a non-tangent curve to the left with a radius of 350.00' and an arc length of 295.87' to a 1/2" iron rod set;

Schedule A Description - continued

Title Number JT-125OR

Page 2

. South 36 42' 07" East 173.75' to a 1/2" iron rod set in the Northerly line of Kris Korner;

Thence along the Northerly line of said Kris Korner, the following Four (4) courses and distances:

1. Along a non-tangent curve to the left with a radius of 175.00' and an arc length of 19.46';
2. South 39 48' 11" West 37.50';
3. Along a curve to the right with a radius of 170.00' and arc length of 64.38' to the point or place of beginning 2.901 Acres of land more or less, as surveyed by Margaret M. Hillriegel, L.S.

PARCEL 2: SBL: 103.3-3-28.121

ALL that certain piece or parcel of land situate in the Town of Marlboro, County of Ulster, State of New York, being a portion Lot #11 on a subdivision Map for American Land Preservation, Filed in the Ulster County Clerk's Office on May 18, 1998 as Map Number 11073, being described as follows:

Beginning at 1/2" iron rod set in the Northerly line of Kris Korner, said point also being Easterly most corner of Lot #9 as shown on the above noted map, said point also being the Southerly most corner of the herein described parcel;

Thence along said Lot #9 as shown on the above mentioned map the following Two (2) courses and distances:

1. North 36 42' 07" West 173.75' to a found 1/2" iron rod set 6" above grade;
2. along a tangent curve to the right with a radius of 350.00' and an arc length of 295.87";

Thence along lands now or formerly Wood Family Trust, Liber 6379, Page 280, the following Two (2) courses and distances:

1. Continuing along the same curve with a radius of 350.00' and an arc length of 125.17';

Schedule A Description - continued

Title Number JT-125OR

Page 3

2. North 32 13' 18" East 107.00'

Thence continuing along said lands now or formerly Wood Family Trust and along lands now or formerly Hain Living Trust, Liber 6417, Page 336, along a tangent curve to the left with a radius of 525.00' and an arc length of 151.28';

Thence continuing along said lands now or formerly Hain Living trust, Liber 6417, Page 336, the following Three (3) courses and distances:

1. North 15 42' 42" East 44.34';

2. Along a tangent curve to the right with a radius of 925.00' and an arc length of 128.96';

3. North 23 41' 58" East 137.54' said point being located South 23 41' 58" West 30.9' from a found 1/2" iron rod, 2" above grade;

Thence along lands now or formerly Zaib & Malik, Liber 6900, Page 54, the following Three (3) courses and distances:

1. South 15 34' 54" West 152.47' to a 1" iron rod set in a stonewall;

2. South 51 36' 40" East 201.27' passing through a 1/2" iron rod set on line at 81.85' to a 1/2" iron rod set, 4" above grade;

3. South 85 47' 49" East 402.75';

Thence along said lands now or formerly CSX transportation Inc., Liber 3070, Page 5, South 01 48' 37" East 326.55';

Thence along said lands now or formerly Bottini, Liber 5795, Page 225, the following Two (2) courses and distances:

1. South 68 50' 41" West 453.43';

2. South 69 59' 41" West 31.91' to a point 1.0' Easterly of a found 1" iron rod, 36" above grade;

Thence along lands now or formerly Filocco, Liber 3797, Page 331, the Following

Schedule A Description - continued

Title Number JT-1250R

Page 4

Three (3) courses and distances:

1. North 59 09' 27" West 346.95' to a found 5/8" iron rod, flush with the ground;
2. Along a curve to the left with a radius of 300.00 and an arc length of 273.57' to a found iron rod;
3. South 36 42' 07" East 174.70' passing through a found capped iron rod on line at 159.7' to a point in Kris Korner;

Thence along and through said Kris Korner, along a non-tangent curve to the left with a radius of 175.00' and an arc length of 50.18' to the point or place of beginning and containing 8.096 Acres of land more or less, as surveyed by Margaret M. Hillriegel, L.S.

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. ☒ *u/a* 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. ☒ 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. ☒ 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. ☒ 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. ☒ The amount of grading expected or known to be required to bring the site to readiness.
33. ☒ Estimated or known cubic yards of material to be excavated.
34. ☒ Estimated or known cubic yards of fill required.
35. ☒ 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. ☒ 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. ☒ Sight distance of all intersections and driveways.
41. ☒ 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 plat for the proposed subdivision, site plan, or lot line revision has been prepared in accordance with this checklist.



By: Margaret M. Hillriegel
Licensed Professional

6/27/2022
Date

Town of Marlborough Planning Board Legal Notices for Public Hearing

Public Hearings are generally held only on the first (1st) Monday of the Month.

Procedure for Legal Notices:

1. The Town of Marlborough Planning Board will schedule Public Hearings during a regularly scheduled meeting after approval for the Public Hearing has been granted.
2. Applicants are required to obtain surrounding property owner names and addresses from the Ulster County Parcel viewer for 500 feet from the parcel. See <https://ulstercountyny.gov/maps/parcel-viewer/>.
3. Applicants are required to send a Public Notice Letter, obtained from the Town of Marlborough Planning Board Office, via Certified Mail with Return Receipt to property owners no less than 10 days prior to Public Hearing.
4. The Town of Marlborough Planning Board Office will send notification to the Town's official newspaper.
5. All Certified Mail with Return Receipt receipts, in addition to a copy of the Ulster County Parcel viewer's listing of names and addresses, must be submitted at the Public Hearing.

Any questions regarding procedures should be directed to The Town of Marlborough Planning Board Office.

Phone: 845-795-6167

Email: marlboroughplanning@marlboroughny.us

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, _____, residing at _____,
_____, make the following statements about interests in the
real property which is the subject of this application, petition or request for a _____
_____, 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: _____

Date: _____

ACKNOWLEDGMENT

State of New York
County of:

On _____, before me personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that [he/she/they] executed the same in [his/her/their] capacity(ies), and that by [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

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 (<i>Residential Subdivisions & Site Plans – Excludes parent parcel</i>)	\$2,000.00 per Lot or Unit
Recreation Fees Adult Multiple Dwelling Affordable Housing (<i>50 and over</i>)	\$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): _____

Applicant's Signature: _____

Date: _____

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