Town of Marlborough Planning Board
Site Plan Application Rev. 6-22-2021

Application #

Please refer to the Town of Marlborough Town Code Section 155-31 https://www.ecode360.com/8667578#8667578 to review all relevant local legislation with regards to Site Plan Review.

Please refer to Town of Marlborough Route 9W Corridor Building and Site Design Guidelines for New Commercial Construction and Rehabilitation of Existing Buildings.
[https://www.townofmarlboroughny.org/Search?searchPhrase=Route%209W%20Corridor%20Building%20and%20Site%20Design%20Guidelines]
Failure to accurately complete this application in its entirety may result in delays and additional review costs.

Date of Initial Submission and Latest Revision	6/27/22 -4/15/19
Name of Project	topseed landscape design
Address of Project	1943 rt. 9w milton ny 12547
Tax Section, Block, and Lot Number	103.1-1-18
Zoning District	hd
Number of Acres	3/4 acres
Square Footage of Each Building	2400

Reason For Application: site plan
Description of Proposal 155-31 E (3) (a): 60'x40' commercial building with 2 suites

CONTACT INFORMATION	
Name of Property Owner	top seed landscape design
Address of Property Owner	464 old indian road milton
Telephone Number of Property Owner:	845-590-8227
Email of Property Owner	rtopseed@aol.com
Name of Applicant	stephen rivieccio
Address of Applicant	464 old indian rd milton ny
Telephone Number of Applicant	845-590-8227
Email Address of Applicant	rtopseed@aol.com
Name of Surveyor	spencer hall surveying
Address of Surveyor	6244 ny 82 stanfordville ny 12581
Telephone Number of Surveyor	845-868-1262
Email Address of Surveyor	hallsurveying@optonline.net
Name of Engineer	louis dubois pe
Address of Engineer	116 vineyard ave. highland ny 12528
Telephone Number of Engineer	
Email Address of Engineer	
Name of Attorney	
Address of Attorney	
Telephone Number of Attorney	
Email Address of Attorney	
Name & Profession of Other Involved Personnel	
Address of Other Involved Personnel	
Telephone Number of Other Involved Personnel	
Email of Other Involved Personnel	

Town of Marlborough Planning Board
Checklist For Site Plan Application
Revision 3-14-2022

The following items shall be submitted for a Planning Board Site Plan Application to be considered complete.
Site plans and Checklist shall be prepared by a licensed professional engineer, architect, land surveyor or landscape architect. Additional Town Codes apply to all site plans.
Please check each required item. Y for yes provided, N for not provided, or RW for Request Waiver. **Provide a written explanation for any requested waivers from the checklist.** After final approval is given by the Planning Board, the Building Department should be contacted for further guidance.

Y/N/RW	Required Items To Be Submitted
1 yes	Complete application with below information and 12 copies of plans. Site plans SHALL be prepared by licensed professional (155-31 E) and shall refer to specific data sources.
2 yes	Completed Site Plan Application form (Pages 1 and 2) 155-31 E (1).
3 yes	Site Plan Application Checklist Complete (Automatic application rejection without checklist) pages 3 to 6.
4 yes	Ethics code Town of Marlborough Disclosure of Interest (where applicable) Pages 8-10
5 yes	Application Fee Paid (Separate check from Escrow Fee) see page 11.
6 yes	Initial Escrow Fee Paid (Separate check from Application Fee) see page 11, also 155-31 J.
7 yes	Disclaimer Forms Provided See Page 12.
8 yes	Letter of Agent Statement Page 13.
9 yes	A location map, at a scale of 2,000 feet to the inch or larger, showing the applicant's entire property and all easements and streets and existing structures within 500 feet of the applicant's property as well as the Tax Map and section on of USGS (United States Geological Survey) mapping. 155-31 E (2).
10 yes	Project Narrative. Complete Brief document 155-31 E (3) (a) A description of proposed project (bottom of page 1 of Site Plan Application) (b) A description of whether the site design includes the possibility for interconnections with adjoining sites and, if no such interconnection is provided, a thorough narrative as to why an interconnection is not feasible. (c) An analysis of how the project complies with the requirements contained within this Chapter 15 5, Zoning, is included. (d) Any waivers or variances needed have been identified. 155-31 F Waivers shall be discussed in the briefing document to be submitted by the applicant.
11 yes	Title of the drawing, including the name and address of the owner of record, applicant, and licensed professional(s) responsible for the preparation of such drawing, including seal and signature. 155-31 E(4)(a).

12 yes	Map of the site includes North arrow, scale, and date. 155-31 E (4) (b).
13 yes	Map of the site depicts boundaries of the property with surveyed dimensions. 155-31 E (4) (c).
14 yes	Names of all owners of record adjacent to the applicant's property are indicated. 155-31 E (4) (d).
15 no - na	Existing school district (if applicable), zoning district, and overlay district boundaries (if applicable), within 500 feet of the site's perimeter is indicated. 155-31 E (4)(e).
16 yes	Map of the site depicts acreage of each distinct existing and proposed land use on the applicant's property, and the proposed density of each if residential uses are proposed. 155-31 E (4) (f).
17 yes	Grading and drainage plan showing existing and proposed contours with intervals of two feet extending 50 feet beyond the tract. If any portion of the parcel is within a one-hundred-year floodplain as determined by the Federal Emergency Management Agency (FEMA), the area will be shown and base flood elevations given. 155-31 E (4) (g).
18 yes	Map of the site depicts location and boundaries of all existing natural land features on the property, including rock outcrops, isolated trees 12 inches or more in diameter at breast height (dbh) and all trees over 24 inches in dbh (whether isolated or in a forested area), existing vegetative and forest cover, orchards, hedgerows and other ornamental landscaping, stone walls, soil types and boundaries, active farmlands, visually prominent agricultural landscape features, such as fields, pastures, and meadows on knolls and hilltops, woodlands along roadways, property lines, and streams, steep slopes in excess of 15%, and water sources. Water sources include ponds, lakes, wetlands and watercourses, primary aquifers and primary aquifer recharge areas, floodplains, and drainage retention/detention areas. The plan shall show locally significant trees which include rare or unusual species, trees associated with historic events or persons, or trees that significantly contribute to a unique scenic viewshed. 155 E (4) (h).
19 yes	Location of all existing buildings, structures, signs, and agricultural lands, on adjacent property within 100 feet of the subject lot lines is shown. 155-31 E (4) (i).
20 yes	Map of the site depicts location, proposed use, height, and setback measurements of all existing and proposed buildings, structures and signs on the applicant's property, including floor plans, and plans for exterior elevations, at a scale of 1/4 inch equals one foot, showing the structure's mass and architectural features, and indicating the type and color of materials to be used. A table indicating square footage of building areas to be used for a particular use, such as retail operation, office use, warehousing, or other commercial activity; maximum number of employees; maximum seating capacity, where applicable; and number of parking spaces existing and required for the intended use. 155-31 E (4) (j).
21 yes	Traffic flow patterns within the site, entrances and exits, the location of potential interconnections between the project site and adjoining sites, truck/commercial vehicle loading and service areas, curb cuts on the site and within 100 feet of the site, and all streets which are either proposed, mapped or built are indicated. 155-31 E (4) (k). The Town requires right-of-way of 25 feet from the center line of Town roads along the property frontage. See also 155-31 G (8).
22 yes	Any cross-access easements, walkways, and bicycle path opportunities associated with the project are indicated. 155-31 E (4) (l).

23 yes	The location, design (including size of spaces, and accessible parking information) and construction materials of all off-street parking areas (open and enclosed, if any), including the number of parking spaces required and to be provided is indicated. 155-31 E (4) (m) and 155-31 G (9) (c) Off-street parking spaces are a minimum of 162 square feet each. See 155-27 A (1) (a).
24 yes	The location, design and construction materials of all present and proposed walkways, bicycle paths and bicycle parking, benches, ramps, outdoor storage or display areas, retaining and/or landscaping walls and fences is indicated. 155-31 E (4) (n).
25 yes	A general and conceptual landscape plan showing proposed changes to existing natural land features. Trees to be saved shall be noted on site plans, and appropriate measures shall be outlined to protect the tree stock from damage during construction. 155-31 E (4) (o). Native species are encouraged. 155-31 G (17) (b).
26 yes	Map of the site depicts the location, design and construction materials of all existing and proposed water supply system. 155-31 E (4) (p) [1].
27 yes	Map of the site depicts the location, design and construction materials of all existing and proposed sewage disposal system. 155-31 E (4) (p) [2].
28 yes	Map of the site depicts the location, design and construction materials of all existing and proposed telephone, cable and energy systems, including electric, oil, gas, solar, or other energy systems. 155-31 E (4) (p) [3].
29 yes	Map of the site depicts the location, design and construction materials of all existing and proposed storm drainage system, including but not limited to existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, manholes, and drainage swales. 155-31 E (4) (p) [4] Identify a distance off site to show drainage structures or a natural discharge location.
30 yes	The location of fire and emergency access ways and zones, including the location of fire hydrants or of the nearest alternative water supply for fire emergencies are indicated. 155-31 E 4 (q) Discussed lock box provision with fire department (see Milton or Marlboro Fire District) except on single family detached residential dwellings See also 155-31 G (13).
31 yes	The location, type, and screening details for solid waste disposal facilities and containers is indicated. 155-31 E (4) (r).
32 yes	The proposed location, height, orientation, type of illuminating device, bulb type and wattage, and photometric data of all outdoor lighting fixtures is indicated. 155-31 E (4) (s). See also 155-31 G (14)
33 yes	The location, height, size, materials, design, and illumination of all present and proposed signs and other advertising or instructional devices are indicated. 155-31 E (4) (t) See also 155-28.
34 no	Estimates of noise generation at the source and property line are provided. 155-31 E (4) (u). See also 155-31 G (16).
35 no- n/a	Inventory and quantity of hazardous materials anticipated for on-site storage and/or use, if applicable, are provided. 155-31 E (4) (v).
36 yes	Plans for the disposal of construction and demolition, waste, whether on-site or at a New York State approved solid waste management facility are indicated. 155-31 E (4) (w).
37 no	A park or open space is being provided see 155-31 E (4) (x).
38 no- n/a	For projects involving more than one phase, a site plan showing each phase of the project is included. 155-31 E (4) (y)

39	yes	Proposed days and hours of operation are indicated. 155-31 E (4) (z).
40	yes	A copy of the deed to the property as most recently filed and/or a copy of the executed contract of sale is included 155-31 E (4) (aa) [1].
41	yes	A copy of each covenant, easement or deed restriction in effect or intended to cover all or part of the tract is included 155-31 E (4) (aa) [2].
42	yes	Enforceable map notes of stormwater drainage, utility rights-of-way, etc., are indicated 155-31 E (4) (aa) [3].
43	yes	Identification, and submittal when available, of all necessary permits from federal, state, county or local agencies, approvals required from said agencies for the project's execution, and proof of special permit and/or variance approvals, if applicable, are included 155-31 E (4) (aa) [4].
44	yes	Short-unlisted actions or full EAF Type one action, as required by the lead agency under the Environmental Conservation Law, is complete and included. See 155-31 E (4) (aa) [6] Environmental Assessment Form. Applicants must use NYSDEC* web based system EAF mapper Application. https://www.dec.ny.gov/permits/6191.html Make sure to unblock popups.
45	yes	Twelve (12) copies of all maps, plans, reports, and a PDF file of all documentation submitted. Plan sets must be submitted in collated packages. (155 E, 155-31 E (5)). (See section 75-6 B. (6) regarding plan stamp requirements of licensed professional).
46	no-~~n/a~~	Agricultural Data Statement (If applicable). See also 155-52 Setbacks and buffers from active agricultural lands.

The plat for the proposed Site Plan has been prepared in accordance with this checklist. A waiver request must be submitted by design professional for any items which are not provided.

By: _____
Licensed Professional

_____
Stamp

6/29/22
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: grandparents, parents, spouse, significant other, children, grandchildren, 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, stephen rivieccio, residing at 464 old indian road milton, make the following statements about interests in the real property which is the subject of this

application, petition or request for a commercial site plan,

before the planning board of The Town of Marlborough.

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

A. <u>Individuals with an interest in the property</u>.

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. <u>Corporations or other entities with an interest in the property.</u>

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. <u>Stockholder or controlling interest</u>

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. <u>Party to an agreement with the applicant</u>

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 an 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) 795-6167.

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

Signed: _____ Date: 6/27/22

ACKNOWLEDGMENT

State of New York,
County of:

On 6/27/22, before me personally appeared Stephen Rivelico, 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

KRISTY WERBA
Notary Public, State of New York
Qualified in Ulster County
Registration No. 01WE6167582
Commission Expires June 4, 2023

Planning Board Fees

(All Applications Subject To Escrow Fees)

Application Fees:

Residential Subdivision – Single Family or Town House	$750.00, plus $150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	$750.00, plus $100.00 Per Unit
Commercial Subdivision	$600.00, plus $200.00 per Lot or Unit
Commercial Site Plan	$1,000.00, plus $10.00 per 1,000 sf of Building
All Other Site Plan Reviews	$550.00
Lot Line Revision	$600.00
Recreation Fees *(Residential Subdivisions & Site Plans – Excludes parent parcel)*	$2,000.00 per Lot or Unit
Recreation Fees Adult Multiple Dwelling Affordable Housing (*50 and over)*	$500.00 per Unit

Escrow Deposit: ***(To be replenished to 75% of original escrow when level drops to 25% remaining in account.***

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

Engineer Inspection Fees (All Town Road Installation Inspections)

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

Disclaimer

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

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

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

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

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

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

Applicant's Name (Print): stephen rivieccio

Applicant's Signature: _____

Date: 6/27/22

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

Town of Marlborough Planning Board
Letter of Agent

I (We), top seed landscape design am (are) the owner(s) of a parcel of land located on 1943 rt. 9w milton ny 12547 in the Town of Marlborough, Tax Map Designation: Section 103.1 Block 1 Lot 18.

I (We) hereby authorize stephen rivieccio to act as my (our) agent to represent my (our) interest in applying to the Town of Marlborough Planning Board for a site plan Lot Subdivision, Site Plan, Minor Site Plan, or Lot Line Revision Application. (circle one)

Signature 6/27/22 Date

Signature Date

State Of New York
County of Ulster

On the 27th day of June in the year 2022 before me, the undersigned, a Notary Public in and for said State, personally appeared

Stephen Rivieccio, 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.

KRISTY WERBA
Notary Public, State of New York
Qualified in Ulster County
Registration No. 01WE6167582
Commission Expires June 4, 2023

Notary Public

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information

Name of Action or Project:
Top Seed Landscape Design

Project Location (describe, and attach a location map):
1943 rt. 9w milton ny 12547

Brief Description of Proposed Action:
Site plan to build a 40' by 60' single story building

Name of Applicant or Sponsor:	Telephone: 845-590-8227
stephen rivieccio	E-Mail: rtopseed@aol.com

Address:
464 old indian road

City/PO:	State:	Zip Code:
milton	ny	12547

	NO	YES
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.	☑	☐
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:	☑	☐

3. a. Total acreage of the site of the proposed action? 3/4 acres
   b. Total acreage to be physically disturbed? 1/2 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3/4 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☐ Rural (non-agriculture) ☑ Industrial ☑ Commercial ☑ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	✓		
b. Consistent with the adopted comprehensive plan?	✓		

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		✓

	NO	YES
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
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	✓	
b. Are public transportation services available at or near the site of the proposed action?	✓	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	✓	

	NO	YES
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
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		✓

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Ingound septic system	✓	

	NO	YES
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?	✓	
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
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?		✓
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? 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

	NO	YES
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...	☐	☑
16. Is the project site located in the 100-year flood plan?	☑	☐
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?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☑
If Yes, briefly describe: yes the dot has a drainage swale in the north west corner of the property and thats where it drains now		
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:	☑	☐
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:	☑	☐
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:	☑	☐

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

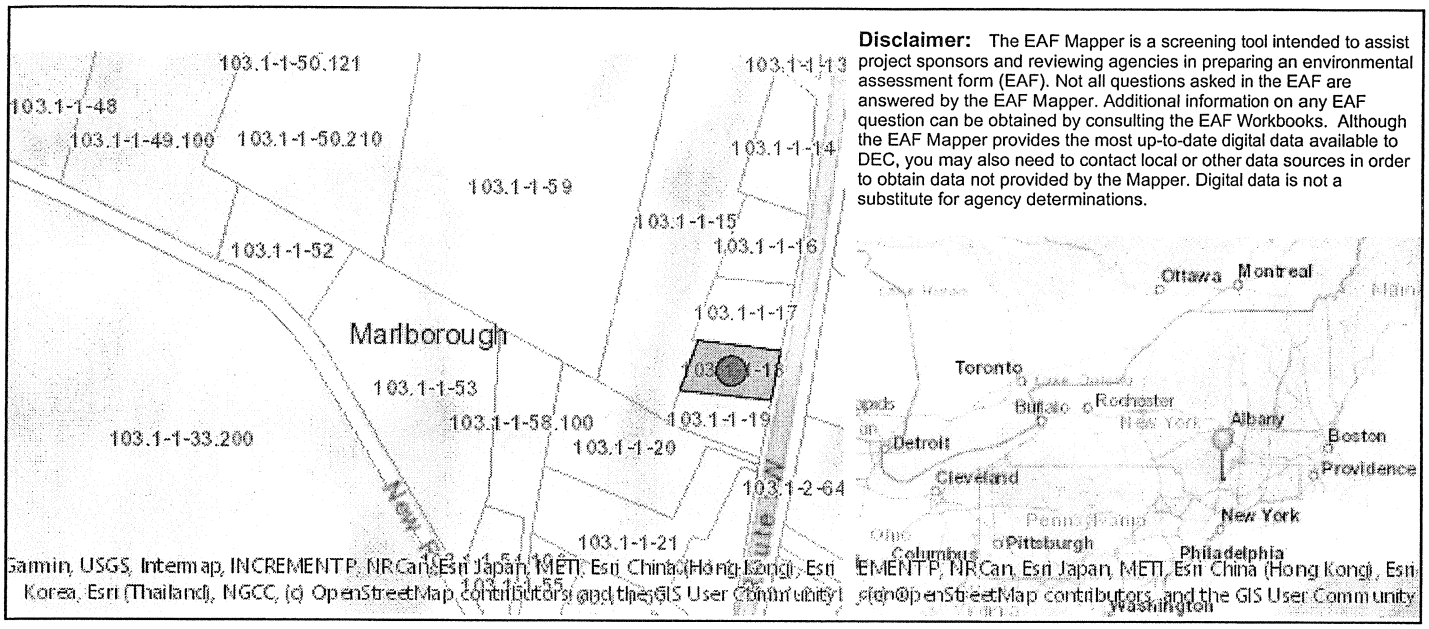
Applicant/sponsor/name: stephen rivieccio Date: 6/27/22

Signature: stephen rivieccio Title: owner

PRINT FORM

EAF Mapper Summary Report

Monday, June 27, 2022 5:38 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.

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]	No

TOWN OF MARLBOROUGH
2019 OCT 23 AM 10 00

PLANNING BOARD OF THE TOWN OF MARLBOROUGH

RESOLUTION
APPLICATION OF TOP SEED LANDSCAPE DESIGN, INC.
FOR SITE PLAN APPROVAL

WHEREAS, an application for site plan approval was submitted by Top Seed Landscaping Design, Inc., then amended to be for Top Seed Landscape Design, Inc. (the "Owner") for property located at 1943 Route 9W, Town of Marlborough, Ulster County, New York, identified by Tax SBL # 103.1-1-18, located in the HD Zoning District (the "Property"); and

WHEREAS, the Owner proposes to construct a 66 foot by 40 foot commercial building and related improvements on the Property; and

WHEREAS, the application was referred to the Ulster County Planning Board which submitted a Recommendation dated September 4, 2019 in which the UCPB provided as follows:

(1) The applicant will need to obtain final approval from NYSDOT for the proposed commercial driveway.

(2) Exterior lighting levels needed to be calculated so that such levels would not exceed the Illuminating Engineering Society (IES) Outdoor Site/International Dark Sky Association (IDSA) Area Recommended Illuminance Levels.

(3) An advisory comment was made about installing parking areas along the Route 9W corridor on the side or in the rear of proposed commercial buildings.

And

WHEREAS, the Owner's engineer submitted a letter dated September 18, 2019 which indicated that the approved septic system was located in the rear of the building, that there was

insufficient room for parking spaces on the side of the building and thus the building had to remain as shown with the parking in front of the building; and

WHEREAS, the Planning Board accepted that explanation from the Owner's engineer and accepted the plan as shown; and

WHEREAS, the Planning Board has classified and hereby classifies this action as a Type II action pursuant to 6 NYCRR 617.5(c)(9); and

WHEREAS, the Planning Board has met and held public meetings and a duly noticed public hearing on September 16, 2019; and

WHEREAS, the site plan submitted with the application was prepared by Spencer S. Hall and was dated March 6, 2019, and accompanied by Building Plans prepared by Louis S. DuBois, P. E., dated April 12, 2019 and the site plan was later revised with a last revision date of October 7, 2019 and the Building Plans were also later revised with a last revision date of October 11, 2019, both addressing comments and concerns raised by the Planning Board, its consultants and others;

WHEREAS, Town Code Section 155-31(L) provides that an applicant may be required to post a performance bond in suitable amount and duration to ensure acceptable installation of various improvements; and

WHEREAS, Town Code Section 135-11(B) provides that a developer shall deliver performance security to the Town Clerk in an amount set by the Town Board to guarantee that the developer will faithfully cause required public improvements to be constructed and completed; and

WHEREAS, Town Code Section 155-47.2 requires a project sponsor to deposit with the Town funds to be disbursed by the Town to cover various inspection costs with the amount of the deposits being set by the Town Board; and

WHEREAS, Town Code Section 135-12(P) provides that the Town may require a person undertaking development to pay reasonable costs of inspections related to SWPPPs and SMP maintenance; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board grants site plan approval to the Owner for this application with site plan last revised October 7, 2019 and the Building Plans last revised October 11, 2019, and authorizes the Chairman of the Planning Board to carry out appropriate completion of the process, including signing the site plan, subject to the following:

a. The Owner's payment of all fees and the defraying of all consultant costs incurred by the Town of Marlborough.

b. The plan must be updated to show a parking detail and landscaping to screen the dumpster satisfactory to the engineer for the Planning Board, which said engineer must approve in writing.

c. The Owner shall provide calculations confirming that the exterior lighting levels such levels will not exceed the Illuminating Engineering Society (IES) Outdoor Site/International Dark Sky Association (IDSA) Area Recommended Illuminance Levels and such calculations must be satisfactory to the engineer for the Planning Board, which said engineer must approve in writing.

d. A note must be added to the plan as follows: "If the New York State Department of Transportation at any point in the future requires the installation of sidewalks along the front

1943 Rt. 9w Property

Explanations of the no's –

#15 – no school within 500' of the property

#34 – proposed office building and there will be no noise beyond normal levels

#35 – proposed building will not store any hazardous materials

#37 – no room on the property but we do offer a bike rack

#38 – project only has one phase

#46 – there is no agricultural land or activities by the proposed property