

Town of Marlborough Planning Board
Preliminary Conceptual Site Plan Application

Application # 22 6015

(32)

Please refer to the Town of Marlborough Town Code Section 155-31 <https://www.ecode360.com/8667578> to review all relevant local legislation with regards to Site Plan Review. Applicants may skip to professionally done Site Plan Application.

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/DocumentCenter/View/2891/Route-9W-Corridor-Building-and-Site-Design-Guidelines>

Failure to accurately complete this application in its entirety may result in delays and additional review costs.

Date of Initial Submission and Latest Revision	September 30,
Name of Project	The Rock
Address of Project	1582 Rte. 9W Marlboro
Tax Section, Block, and Lot Number	103.3-3-28. 100
Zoning District	RAG-1
Number of Acres see: https://ulstercountyny.gov/maps/parcel-viewer/	3.9 acres
Square Footage of Each Building	1700
Reason For Application:	To Host events at Property
Description of Proposal 155-31 E (3) (a):	

CONTACT INFORMATION where applicable	
Name of Property Owner	Troy & Alicia Tortarella
Address of Property Owner	1582 9W Marlboro N.Y.
Telephone Number of Property Owner:	845-494-7590
Email of Property Owner	troytortarella@gmail.com
Name of Applicant	Same
Address of Applicant	Same
Telephone Number of Applicant	Same
Email Address of Applicant	Same
Name of Surveyor	Charles Boulukos
Address of Surveyor	343 Viewmont Rd Germantown
Telephone Number of Surveyor	518 537-7127
Email Address of Surveyor	
Name of Engineer	Zen Consultants, Inc
Address of Engineer	11642 Route 300 Suite 138
Telephone Number of Engineer	Newburg NY
Email Address of Engineer	845 629-1507
Name of Attorney	Jaye Kelley
Address of Attorney	272 Mill St. # 2
Telephone Number of Attorney	Poughkeepsie N.Y. 452-6100
Email Address of Attorney	RKLaw@RizzoandKelley.com
Name & Profession of Other Involved Personnel	Vivian Lanzarone
Address of Other Involved Personnel	46 Main St Milton N.Y.
Telephone Number of Other Involved Personnel	845-546-6084
Email of Other Involved Personnel	Vivianphoto@AOL.com

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: October 17, 2022

Re: The Rock - Troy Tortarella 1582 Rt. 9W Marlboro , NY 12542

S.B.L. : 103.3-3-28.100

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

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

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

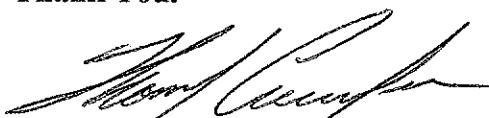
This property is in the RAG-1 District

Under Town Code Section 155-12 (C) (4)(F) Special Use - Recreation & Amusement Use - you can look at this application.

***Please note the definition of Recreation, Commercial on page 155:10 of the Town Code and as long as the applicant can prove that is the intended use - you can move forward with review of this application - in my opinion on the minimum amount of information I have at this time.**

**** (This would be similar to MAZSTOCK as approved)**

Thank You.



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



Ulster County

ulstercountyny.gov

Property Description

Report For: 1582 Route 9W, Municipality of Town of Marlborough

No Photo Available

Total Acreage/Size: 3.90
Land Assessment: 2022 - \$135,900
 2021 - \$87,000
Full Market Value: 2022 - \$728,219
 2021 - \$313,448
Equalization Rate: ----
Deed Book: 6680
Grid East: 639177

Status: Active
Roll Section: Taxable
Swis: 513600
Tax Map ID #: 103.3-3-28.100
Property Class: 210 - 1 Family Res
Site: RES 1
In Ag. District: No
Site Property Class: 210 - 1 Family Res
Zoning Code: RAG1 - Res. Ag. 1
Neighborhood Code: 00005
School District: Marlboro
Total Assessment: 2022 - \$531,600
 2021 - \$272,700
Property Desc:
Deed Page: 53
Grid North: 1019330

Area

Living Area:	1,769 sq. ft.	First Story Area:	1,769 sq. ft.
Second Story Area:	0 sq. ft.	Half Story Area:	0 sq. ft.
Additional Story Area:	0 sq. ft.	3/4 Story Area:	0 sq. ft.
Finished Basement:	0 sq. ft.	Number of Stories:	1
Finished Rec Room	0 sq. ft.	Finished Area Over Garage	0 sq. ft.

Structure

Building Style:	Ranch	Bathrooms (Full - Half):	2 - 0
Bedrooms:	2	Kitchens:	1
Fireplaces:	2	Basement Type:	Slab/pier
Porch Type:	0	Porch Area:	0.00
Basement Garage Cap:	0	Attached Garage Cap:	496.00 sq. ft.
Overall Condition:	Good	Overall Grade:	Good
Year Built:	2020	Eff Year Built:	

Owners

Owner Information Not Available

Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book and Page
9/22/2020	\$40,000	311 - Res vac land	Land Only	BUCHNER, HAROLD W.	Yes	Yes	No	6680/53
9/5/2013	\$102,500	311 - Res vac land	Land Only	Carroll, Leslie	No	No	Yes	5652/241
11/21/2011	\$0	311 - Res vac land	Land Only	American Land Preservation	No	No	Yes	5234/143

Utilities

Sewer Type:	Private	Water Supply:	Private
Utilities:	Electric	Heat Type:	Hot wtr/stm
Fuel Type:	Oil	Central Air:	Yes

Improvements

Structure	Size	Grade	Condition	Year
Gar-1.0 att	496.00 sq ft	Good	Good	2020
Misc. imprv.	14000 x 0	Average	Normal	2022
Pool-st/vnyl	525.00 sq ft	Average	Normal	2021

Special Districts for 2022

Description	Units	Percent	Type	Value
FD092-Milton fire	0	0%		0

Special Districts for 2021

Description	Units	Percent	Type	Value
FD092-Milton fire	0	0%		0

Town of Marlborough Planning Board

Conceptual Plan Checklist

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

Failure to accurately complete this Checklist in its entirety may result in delays and additional review costs. Applicants may go directly to the professionally completed Site Plan check list.

Y / N	Required Items To Be Submitted
1	Conceptual Plan Application Checklist Complete pages 3 to 4.
2	Letter of Agent Statement Page 10, Ethics code pages 5-7 if applicable.
3	Disclaimer see page 9.
4	Initial Escrow Fee Paid (Separate check from Application Fee) see page 8, also 155-31 J.
5	Any waivers or deferred submission of concept plan information. (155-31 F).
6	An area map and a high resolution aerial photograph keyed to the real property maps, showing the parcel under consideration and all properties, subdivisions, roads, and easements within 500 feet of the boundaries thereof. (NOTE: An example of an acceptable aerial photograph includes a photograph from Google Earth™ mapping service.) 155-31 D (1) (or Ulster County Parcel viewer Aerial https://ulstercountyny.gov/maps/parcel-viewer/).
7	A compilation of known environmental data in relation to the project site and in relation to property within 500 feet of the project site is included. The compilation shall consist of a narrative summarizing the known environmental data, and copies of any and all previous reports, studies, findings and documents, prepared by any person, consultant or agency. If the supporting reports, studies, findings and documents are in excess of 50 pages, it is preferred that this submission be made in digital form. See 155-31 D (3).
	SITE MAP
8	Site map depicts approximate location of lot lines and lot measurements. 155-31 D (2) (a) (b).
9	Map of the site depicts existing and proposed streets, other access ways and site ingress and egress. 155-31 D (2) (c) (f).
10	Map of the site depicts approximate location of proposed location of future roadway connections between the subject parcel and adjacent parcels. 155-31 D (2) (d) and 155-31 G (8) (b).
11	Map of the site depicts location and dimensions of existing and proposed structures and paved areas 155-31 D (2) (e).
12	Map depicting the approximate location of site topography. 155 D 2 (g).

13	Map of the site depicts significant natural and historic features, including floodplains, outcrops, soils, watercourses and water bodies, significant habitat areas, or known endangered species occurrences and wooded areas. In addition, agricultural districts, farm operations, sites nominated or on the state or national registers for historic places, sensitive archaeological areas, and coastal zone boundaries. 155-31 D (2) (h).
14	Photographs of the site and buildings thereon are included. Encouraged by Planning Board. 155-31 D(2)(i).
15	A digital copy of the conceptual site plan is submitted in PDF format. 155-31 D (4).

DISCLAIMER: The Town of Marlborough does not provide legal, engineering, or other consulting advice to applicants or potential applicants. Such applicants must retain their own attorneys, engineers, and/or other consultants to obtain such advice. Any conceptual review provided by Town employees or representatives related to limited information in Conceptual Site Plan Packet is provided subject to review, comments, and decisions by the Planning Board as a whole and all the Planning Board's consultants after submission of a full site plan packet, supporting documents, revisions, and public review.

The proposed Concept plan has been prepared in accordance with this checklist.

By: _____

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: 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, Troy Tovarella, residing at 1582 Rt. 9W, make the following statements about interests in the real property which is the subject of this

application, petition or request for a _____,

before the Planning 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 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: 10/11/22

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

**Town of Marlborough Planning Board
Conceptual Site Plan Escrow Fees**

Please make checks payable to: Town of Marlborough

Conceptual Site Plan - \$300.00 minimum

Escrow fee to be determined.

Escrow Deposit are to be replenished to 75% of original escrow when level drops to 25% remaining in account.

Contact the Building Department for safety inspection, permit, and other applicable fees.

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): Troy Tortarella

Applicant's Signature: 

Date: 10/11/22

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

Town of Marlborough Planning Board
Letter of Agent

I (We), Troy Tortarella am (are) the owner(s) of
a parcel of land located
on 1582 Rt. 9W in the Town
of Marlborough, Tax Map Designation: Section 103 Block 3 Lot 28.100.

I (We) hereby authorize Vivian Lanzarone 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 Minor Site Plan Lot Line Revision Application. (check one)

Signature:  Date: 10/11/22

Signature: Vivian Lanzarone Date: 10-11-22

State Of New York
County of Ulster

On the 12th day of October in the year 2022 before me, the undersigned, a Notary Public in and for said

State, personally appeared Vivian Lanzarone,
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.

Jennafer Romanczuk
Notary Public

JENNAFER ROMANCZUK
Notary Public, State of New York
Reg. 01RO6147225
Qualified in Dutchess County
Commission Expires May 30, 2026