

## Town of Marlborough Planning Board Application

**Application For:** *(Check One)*

**Subdivision**

**Lot Line (3 plus lots)**

Application Number:

Date of Submission:

Name of Project: Lot Line Revision Between Marlborough Fire District & Joemarden

Location of Project: Orange Street and Grand Street

Tax Section Block and Lot: 108.12 - 1 - 17 and 18

Zoning District: R

Number of Acres: 0.52 Sq. Footage of Building: N/A

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

Lot line revision to add a 0.07 acre parcel to lands of the Marlborough Fire District from lands of Joemarden, LLC

EMAIL:

Name of Property Owner: Marlborough Fire District c/o Peter Carofano OWNER #1

Address of Property Owner: P.O. Box 777, Marlboro, New York 12542

Telephone Number of Property Owner: 845-656-0496 Petercarofano56@yahoo.com

Name of Applicant: Joemarden, LLC c/o Frank Fisher OWNER #2

Address of Applicant: 1625 Route 9W, Milton, New York 12547

Telephone Number of Applicant: 845-527-9746 Frankfish@hotmail.com

Name of Surveyor: Patricia P. Brooks, L.S. Control Point Associates

Address of Surveyor: 11 Main Street Highland, New York 12528

Telephone Number of Surveyor: 845-691-7339 pbrooks@cpasurvey.com

Name of Engineer: N/A

Address of Engineer:

Telephone Number of Engineer

Name of Attorney: N/A

Address of Attorney:

Telephone Number of Attorney:

Reason For Application:

To enlarge and "square off" the lands of the Marlborough Fire District

Description of Proposal:

Conveyance of 0.07 acre or 2847 Square feet from lands of Joemarden, LLC to lands of the Marlborough Fire District

The land to be conveyed is vacant and will be combined with existing lands of the Fire District

**Marlborough Fire District**

Applicant's Name

## 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 (<https://www.dec.ny.gov/permits/6191.html>)
  3.  Letter of Agent Statement
  4.  Application Fee (*Separate check from escrow fee*)
  5.  Escrow Fee (*Separate check from application fee*)
  6.  Copy of deed
  7.  Completed checklist (*Automatic rejection of application without checklist*)
  8.  Agricultural Data Statement (*if applicable*)
  9.  Provide twelve (12) copies of all maps, plans, reports and a PDF computer file on CD of all documentation submitted. Plan sets must be correlated packages.
  
- II. The following checklist items shall be incorporated on the Subdivision Plat, Site Plan, or Lot Line Revision prior to consideration of being placed on the Planning Board Agenda. Non-Submittal of the checklist will result in application rejection.
  1.  Name and address of applicant
  2.  Name and address of owner (*if different*)
  3.  Subdivision name and location
  4.  Tax Map Data (*Section-Block-Lot*)
  5.  Location map at a scale of 1" = 2,000
  6.  Zoning table showing what is required in the particular zone and what applicant is proposing.
  7.  Show zoning boundary if any portion of proposed subdivision or site is within or adjacent to a different zone
  8.  Date of plat preparation and/or plat revisions
  9.  Scale the plat is drawn to (Max 1" = 100')
  10.  North Arrow

11.  Surveyor's Certification
12.  Surveyor's seal and signature
13.  Name, SBL and acreage of adjoining owners
14.  NYSDEC Wetland and 100 foot buffer zone with an appropriate Certification block regarding DEC requirements.
15.  N/A Flood plain boundaries
16.  N/A Federal Wetland Boundary
17.  Metes and bounds of all lots
18.  Name and width of adjacent streets, include dedication parcels. The road boundary is to be a minimum of 25 feet from the centerline of the paved street.
19.  Show existing or proposed easements (*note restrictions*)
20.  Right of way width and Rights of Access and utility placement.
21.  N/A Road profile and typical section including existing proposed grades, vertical curve data, utilities, drainage and other improvements.
22.  Lot area acreage. For lots under 2 acres, list in square feet & acres.
23.  Number of lots including residual lot.
24.  N/A Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 200 feet of parcel boundaries.
25.  N/A A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads.
26.  Applicable note pertaining to owners review and concurrence.
27.  N/A Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc.
28.  N/A Show all existing houses, accessory structures, wells and septic systems on and within 200 feet of the parcel to be subdivided.
29.  N/A 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.  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.  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:   
Licensed Professional

2/8/23

Stamp

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](mailto: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, Marilyn Cappillino representing Joemarden, LLC, residing at 1625 Route 9W Milton, NY 12547, make the following statements about interests in the real property which is the subject of this application, petition or request for a Lot Line Revision, before the Planning Board of The Town of Marlborough.

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

**A. Individuals with an interest in the property.**

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

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

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

**C. Stockholder or controlling interest**

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

**D. Party to an agreement with the applicant**

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

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

---

---

---

---

---

---

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

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

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

Signed: Marilyn Cappillino

Date: 2/9/23

**ACKNOWLEDGMENT**

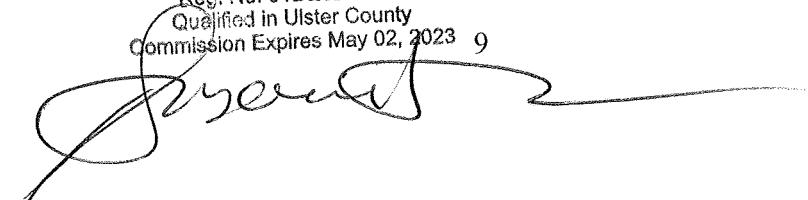
State of New York

County of:

On 2/9/23, before me personally appeared Marilyn Cappillino, 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

SUZANNE DEMSKIE  
Notary Public, State of New York  
Reg. No. 01DE6240448  
Qualified in Ulster County  
Commission Expires May 02, 2023 9



## 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):

Marilyn Cappilino

Applicant's Signature:

Marilyn Cappilino

Date:

2/9/03

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

## Letter of Agent

I (We), Marilyn Cappillino representing Joemarden, LLC am (are) the owner(s) of a parcel of land located on Orange Street in the Town of Marlborough, Tax Map Designation: Section 108.12 Block 1 Lot 17.

I (We) hereby authorize Control Point Associates 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)

Marilyn Cappillino  
Signature

2-9-23

Date

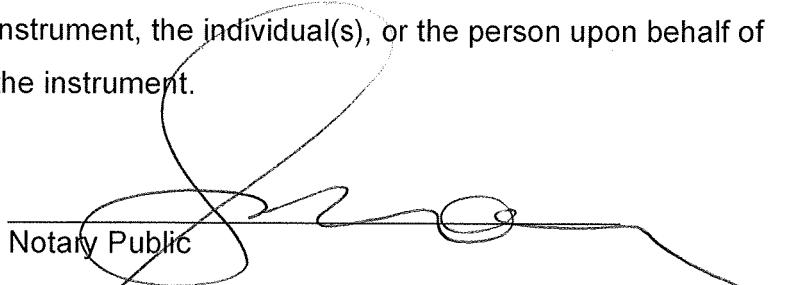
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

State Of New York  
County Of Ulster } SS:

On the 9<sup>th</sup> day of February in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared

Marilyn Cappillino, 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

SUZANNE DEMSKIE  
Notary Public, State of New York  
Reg. No. 01DE6240448  
Qualified in Ulster County  
Commission Expires May 02, 2023

# 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, Peter Carofano representing Marlborough Fire District, residing at 14 Grand Street Marlboro Ny, make the following statements about interests in the real property which is the subject of this application, petition or request for a Lot Line Revision, before the Planning Board of The Town of Marlborough.

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

**A. Individuals with an interest in the property.**

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

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

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

**C. Stockholder or controlling interest**

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

**D. Party to an agreement with the applicant**

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

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

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

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

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

Signed: Peter A. Carfagna

Date: 2/8/23

## ACKNOWLEDGMENT

## State of New York

County of:

On 21/8/23, before me personally appeared Peter Carofano, 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

SUZANNE DEMSKIE  
Notary Public, State of New York  
Reg. No. 01DE6240448  
Qualified In Ulster County  
Commission Expires May 02, 2023

## 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):

Peter A. Carofano

Applicant's Signature:

Peter A. Carofano

Date:

2/8/23

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

## Letter of Agent

I (We), Peter Carofano representing Marlborough Fire District am (are) the owner(s) of a parcel of land located on Orange Street and Grand Street in the Town of Marlborough, Tax Map Designation: Section 108.12 Block 1 Lot 18.

I (We) hereby authorize Control Point Associates 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)

Peter Carofano  
Signature

2/8/23  
Date

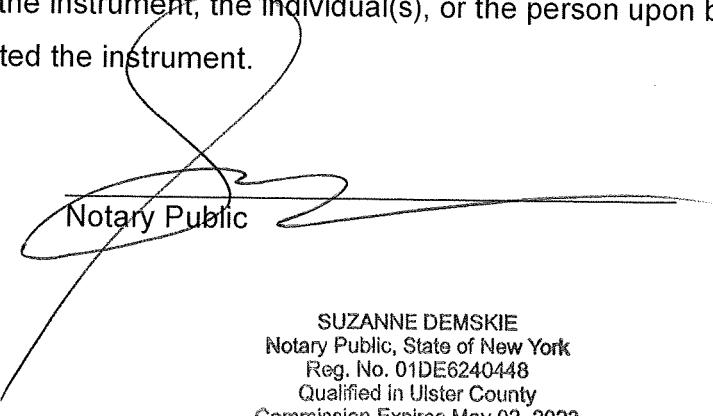
Signature

Date

State Of New York  
County Of Ulster } SS:

On the 8<sup>th</sup> day of February in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared

Peter Carofano, 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

SUZANNE DEMSKIE  
Notary Public, State of New York  
Reg. No. 01DE6240448  
Qualified in Ulster County  
Commission Expires May 02, 2023

# ***Short Environmental Assessment Form***

## ***Part 1 - Project Information***

### **Instructions for Completing**

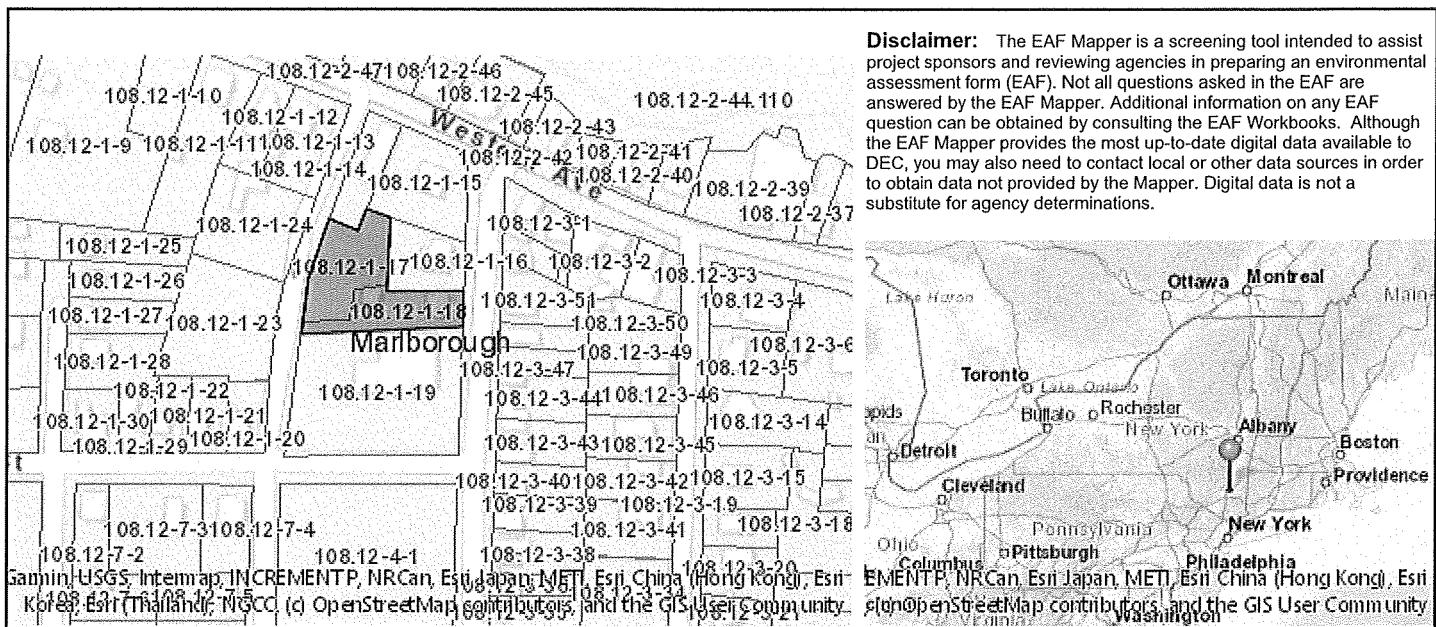
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

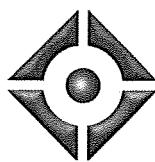
<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Lot Line Revision between lands of Marlborough Fire District and lands of JOEMARDEN LLC			
Project Location (describe, and attach a location map): 10 Grand Street Marlborough SBL: 108.12-1-18 / Orange Street Marlborough SBL: 108.12-1-17			
Brief Description of Proposed Action: JOEMARDEN LLC owner of SBL: 108.12-1-18 proposes to convey .07 acres and combine in with Marlborough Fire District owners of SBL: 108.12-2-17. Resulting acreage SBL: 108.12-1-18 = 0.27 acres SBL: 108.12-1-17 = 0.25 acres			
Name of Applicant or Sponsor: Control Point Associates Inc. PC - Patricia Brooks, Land Surveyor		Telephone: 845-691-7339 E-Mail: pbrooks@cpasurvey.com	
Address: 11 Main Street			
City/PO: Highland		State: NY	Zip Code: 12528
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
3. a. Total acreage of the site of the proposed action? _____ 0.52 acres b. Total acreage to be physically disturbed? _____ 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.59 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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"/>
	<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"/>	
	<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"/>	
	<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: _____ no new construction is proposed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>	
	<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"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ 13a. There are no state or federal wetlands located on or near these properties so per current NYSDEC wetland mapping.	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:															
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban															
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?															
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES															
16. Is the project site located in the 100-year flood plan?															
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES															
17. Will the proposed action create storm water discharge, either from point or non-point sources?															
If Yes, <table border="1"> <tr> <td>a. Will storm water discharges flow to adjacent properties?</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="3">If Yes, briefly describe:</td> </tr> <tr> <td colspan="3"> <hr/> <hr/> <hr/> </td> </tr> </table>				a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If Yes, briefly describe:			<hr/> <hr/> <hr/>		
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>													
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>													
If Yes, briefly describe:															
<hr/> <hr/> <hr/>															
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: <table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="2"> <hr/> <hr/> </td> </tr> </table>				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<hr/> <hr/>									
<input checked="" type="checkbox"/>	<input type="checkbox"/>														
<hr/> <hr/>															
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: <table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="2"> <hr/> <hr/> </td> </tr> </table>				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<hr/> <hr/>									
<input checked="" type="checkbox"/>	<input type="checkbox"/>														
<hr/> <hr/>															
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: <table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="2"> <hr/> <hr/> </td> </tr> </table>				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<hr/> <hr/>									
<input checked="" type="checkbox"/>	<input type="checkbox"/>														
<hr/> <hr/>															
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>															
Applicant/sponsor/name: <u>Control Point Associates, Inc. PC</u>		Date: <u>February 9, 2023</u>													
Signature: <u>D. D. Brooks</u>		Title: <u>Land Surveyor/Agent</u>													



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
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]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



February 10, 2023

**LETTER OF INTENT**

Owner/Applicants Marlborough Fire District, SBL:108.12-1-18 and Joemarden LLC, SBL:108.12-1-17 are seeking approval for a Lot Line Revision between their two parcels. The properties are located in the R zoning district. This action conforms to existing bulk requirements.

The lands of the Marlborough Fire District is a 0.20-acre (8712sqft) parcel, with road frontage on Grand Street and Orange Street, contains a house, shed and garage that is accessed from an asphalt driveway off Orange Street. The parcel is serviced by municipal water and sewer.

The lands of Joemarden, LLC is a 0.32-acre (13,939sqft) vacant parcel with frontage on Orange Street, and contains approximately 50% lawn and 50% asphalt.

It is proposed that the lands of Joemarden LLC, SBL: 108.12-1-17, will convey 0.07-acres (2847sqft) to be combined with the lands of Marlborough Fire District.

Acreage: Marlborough Fire District, SBL:108.12-1-18, before revision 0.20-acres (8712sqft)

after revision 0.27-acres (11,620sqf)

Acreage: Joemarden LLC, SBL:108.12-1-17,

before revision 0.32-acres (13,939sqft)

after revision 0.25-acres (10,991sqft)

# **BOARD OF FIRE COMMISSIONERS**

**Marlborough Fire District**

**14 Grand Street**

**Post Office Box 777**

**Marlboro, New York 12542-0777**

**845-236-4121**

**Mark J. Ciaglia**

*Chairman of the Board*

**Anthony Libonati, Jr.**

*Member*

**Edward Pross**

*Member*

**Donald Cosman**

*Member*

**Peter Carofano**

*Vice-Chairman*

**Thomas Mahusky, CPA**

*Treasurer*

**Mia Mannese**

*Secretary*

February 8, 2023

Scott Corcoran, Supervisor  
Town of Marlborough  
21 Milton Turnpike – Suite 200  
P.O. Box 305  
Milton, New York 12547

Dear Supervisor Corcoran:

The Marlborough Fire District is in the process of purchasing a small parcel of land located on Orange Street behind the Marlboro Firehouse and we are requesting, and would appreciate, that the Planning Board Fees be waived.

Thank you very much for your consideration on this matter.

Best regards,

Peter A. Carofano, Vice Chairman  
Marlborough Fire District

Cc:Dave Zambito  
Cc:Sherida Sessa  
Cc:Ed Molinelli  
Cc:Manny Cauchi  
Cc:Sue Demskie  
Cc:Chris Brand  
Cc:Tina Rosa

108.12-①-18

SUBJECT

ULSTER COUNTY CLERK'S OFFICE  
COUNTY CLERK'S RECORDING PAGEReturn To:RUSK WADLIN HEPPNER & MARTUSCELLO  
PO BOX 727  
MARLBORO NY 12542MARTUSCELLO  
DANIEL M & OR  
MARLBOROUGH FIRE DIST BY COMM

DEED REC	\$ 17.00
	.00
	.00
	.00
GOV REC FE	5.00
TRANS TAX	360.00
	.00
	.00
	.00
	.00
Total:	\$ 382.00

STATE OF NEW YORK  
ULSTER COUNTY CLERK'S OFFICEWARNING-THIS SHEET CONSTITUTES THE CLERK'S  
ENDORSEMENT REQUIRED BY SECTION 316-a(5) &  
SECTION 319 OF THE REAL PROPERTY LAW OF THE  
STATE OF NEW YORK. DO NOT DETACH.ALBERT SPADA  
COUNTY CLERK

450

Index Deed Book  
 Book 02955 Page 0124  
 No. Pages 0004  
 Instrument DEED  
 Date : 8/16/1999  
 Time : 4:41:08  
 Control # 199908160389  
 RPT 17 1999 000343  
 Employee ID MDAV

TRANSFER AMT

TRANSFER AMT \$	90,000.00
TRANSFER TAX \$	360.00

Deed-Executor's

9973-14742  
199

UBER 2955 PAGE 0125

THIS INDENTURE, made the 13th day of August, Nineteen Hundred and Ninety-Nine

BETWEEN Daniel M. Martuscello, 1313 Route 9W, Marlboro, New York 12542,

individually and as Executor of the Last Will and Testament of Kathryn Mary Cumiskey, late of the Town of Marlboro, Ulster County, New York, deceased,

party of the first part, and

Board of Fire Commissioners of the Marlborough Fire District, with offices at Grand Street, Marlboro, New York 12542

party of the second part:

WITNESSETH, That the party of the first part, by virtue of the power and authority to him given in and by the said Last Will and Testament, and in consideration of NINETY THOUSAND DOLLARS (\$90,000.00) 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, its heirs, distributees and assigns forever,

SEE ATTACHED SCHEDULE A

TOGETHER with the appurtenances, and also all the estate which the said Testatrix had at the time of her decease, in said premises, and also the estate therein, which the party of the first part has or had power to convey or dispose of, whether individually, or by virtue of said Will or otherwise.

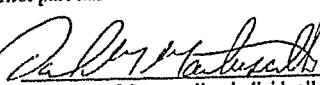
TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its heirs, distributees and assigns forever.

AND the party of the first part covenants that he has not done or suffered anything whereby the said premises have been encumbered in any way whatever.

That, in compliance with Sec. 13 of the Lien Law, the grantor will receive 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.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.

IN PRESENCE OF

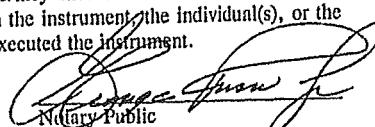
  
Daniel M. Martuscello, individually and as Executor of the Last Will & Testament of Kathryn Mary Cumiskey

STATE OF NEW YORK )

ss.:

COUNTY OF ULSTER )

On August 13, 1999 before me, the undersigned, a Notary Public in and for said State, personally appeared Daniel M. Martuscello, 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(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.

  
George Rusk, Jr.  
Notary Public  
Notary Public, State of New York  
Qualified in Ulster County  
Commissioned Expires June 30, 2001

R & R to:

Rusk, Wadlin, Heppner & Martuscello  
P.O. Box 727  
Marlboro, NY 12542

Title Svc

**SCHEDULE A**

**PARCEL I**  
ALL that certain plot, piece or parcel of land, situate, lying and being in the Village and Town of Marlboro, Ulster County, New York, bounded and described as follows: to wit:

BEGINNING at a point on the west line of Grand Street, 177 feet North of the intersection of the North line of Church Street with the west line of Grand Street, and running thence westwardly and parallel with Church Street 108 feet; thence North 13° East 50 feet to lands of Franklin Clark and Edith Clark; thence South 81° East 105 feet to the westerly side of Grand Street. Thence South 9° 25' West 50 feet to the place of beginning.

SAID being a part of the lot known and designated as Lot No. 2 on a map of part of the lands of Matthew Berean in Marlboro, New York surveyed by William Carpenter, Surveyor, March 7, 1887.

ALSO a right of way in and over a certain strip of land 9 feet wide along the southerly line of Franklin Clark and Edith V. Clark and adjoining the above described lot on the North for Edward J. Cumiskey and Margaret C. Cumiskey, their heirs and assigns and their servants and tenants, at all times to freely pass and repass on foot or with horses, oxen, cattle, beasts of burden, wagons, carts, sleighs, or other vehicles or carriages whatsoever from the said Grand Street to the rear of the said above described lot, hereby granted to Edward J. Cumiskey and Margaret C. Cumiskey as aforesaid and forever the same to the said Grand Street as aforesaid.

**PARCEL II**

All that certain plot, piece or parcel of land situate, lying and being in the Town of Marlborough, County of Ulster and State of New York being more particularly bounded and described as follows:

BEGINNING at a point on the easterly side of Orange Street extended at the northwest corner of lot No. 8 on said map formerly known as a part of the School House Lot and running from thence along the northerly bounds of said lot No. 8 108 feet 3 inches to the southwest corner of lot No. 2 now owned by Edward J. Cumiskey; thence along the westerly bounds of said lot No. 2 north 13° E 59 feet to the southwest corner of lot No. 1 formerly owned by Franklin Clark; thence along the southerly bounds of lot No. 10 north 81° W 40 feet to an iron marker set in the ground; thence north 81° W parallel with the northerly bounds of said lot No. 8 and 16 feet distant therefrom 67 feet more or less to a point on the easterly side of said Orange Street extended; thence along the easterly bounds of said Orange Street extended south 15° 50' W 16 feet to the point or place of beginning.

THE ABOVE DESCRIBED PARCELS HAVE RECENTLY BEEN SURVEYED, SAID SURVEY DESCRIPTION READS AS FOLLOWS:

All that parcel of land situate in the Town of Marlborough, County of Ulster and State of New York being more particularly bounded and described as follows:

Beginning at a rod found set on the westerly side of Grand Street at the northeast corner of the herein described parcel of land, said point being at the southeast corner of a 9 foot wide right of way and running thence along the westerly bounds of said Grand Street, South 09° 50' 33" West 49.88 feet to a point on the division line with lands conveyed to the Marlborough Fire District as recorded in Deed Liber 1333 at Page 814, thence along the division line with said lands of The Marlborough Fire District and in part running along a chain link fence, North 81° 00' 00" West 216.50 feet to a point of the easterly bounds of Orange Street, thence along the easterly bounds of said Orange Street, North 16° 08' 00" East 16.12 feet to a spike set on the division line with lands conveyed to Joseph D. Pesavento, Sr., as recorded in Deed Liber 1492 at Page 924, thence along the division line with said lands of Pesavento, South 81° 00' 00" East 67.37 feet to a set spike, North 13° 00' 00" East 42.96 feet to a set rod and South 81° 00' 00" East 40.00 feet to a rod set on the division line with lands conveyed to Linda Mastrella as recorded in Deed Liber 2291 at Page 87, said point also being the northwest corner of a 9 foot wide right of way, thence along the division line with said lands of Mastrella and along the westerly end of said right of way, South 13° 00' 00" West 9.00 feet to a found pipe, thence along the southerly bounds of said 9 foot wide right of way, South 81° 00' 00" East 105.50 feet to the place of beginning.

Together with a right of way 9 feet in width as recited in Deed Liber 2663 at Page 277.

Parcel being the lands conveyed to Daniel M. Martuscello from Kathryn M. Cumiskey by deed dated the 13<sup>th</sup> of February, 1997 and recorded in Deed Liber 2663 at Page 277 and a portion of those lands to Edward J. Cumiskey from Herbert Greaves, et al, by deed dated the 9<sup>th</sup> of May, 1917 and recorded in Deed Liber 461 at Page 134.

Containing 0.20 acres.

Ulster County  
Nina Postupack  
County Clerk  
Kingston, NY 12401

108.12-1-17

Subject



60 2008 00004483

Instrument Number: 2008-00004483

Recorded On: March 11, 2008  
As  
D01 - Deed

Parties: PESAVENTO ROSE A BY EX

To

JOEMARDEN LLC

Billable Pages: 3

Recorded By: RUSK WADLIN HEPPNER&MARTUSCELLO

Num Of Pages: 3

Comment:

\*\* Examined and Charged as Follows: \*\*

D01 - Deed	34.00	RP5217 - 165	165.00	Tax Affidavit TP 584	5.00
------------	-------	--------------	--------	----------------------	------

Recording Charge: 204.00

	Amount	Consideration Amount	RS#/CS#			
Tax-Transfer	0.00	0.00	3266	Basic	0.00	
MARLBOROUGH				Additional	0.00	Special Additional Transfer 0.00
Tax Charge:	0.00					0.00

\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Ulster County,

File Information:

Document Number: 2008-00004483

Record and Return To:

RUSK WADLIN HEPPNER&MARTUSCELLO LLP

Receipt Number: 650877

1390 ROUTE 9W

Recorded Date/Time: March 11, 2008 04:23:20P

PO BOX 727

Book-Vol/Pg: Bk-D VI-4531 Pg-32

MARLBOROUGH NY 12542

Cashier / Station: c cmil / Cashier Workstation 8



*Nina Postupack*

Nina Postupack Ulster County Clerk

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

THIS INDENTURE, made this 1st day of March, Two Thousand Eight

BETWEEN ESTATE OF ROSE ANNA PESAVENTO by Joseph D. Pesavento, Jr., Executor, residing at 424 Old Post Road, Marlboro, NY 12542 and JOSEPH D. PESAVENTO, Jr., residing at 424 Old Post Road, Marlboro, NY 12542 and DENNIS F. PESAVENTO, residing at PO Box 300, Marlboro, NY 12542 and MARILYN CAPPILLINO, residing at 1625 Route 9W, Milton, NY 12547.  
party of the first part, and

JOEMARDEN, LLC with principal offices located at 424 Old Post Road, Marlboro, NY 12542  
party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

SEE ATTACHED SCHEDULE A

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

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

IN PRESENCE OF:

Estate of Rose Anna Pesavento

By: *Joseph D. Pesavento, Jr., Executor*  
Joseph D. Pesavento, Jr. as Executor

*Joseph D. Pesavento, Jr.*  
Joseph D. Pesavento, Jr.

*Dennis F. Pesavento*  
Dennis F. Pesavento

*Marilyn Cappillino*  
Marilyn Cappillino

STATE OF NEW YORK )  
ss:  
COUNTY OF ULSTER )

On the 1st day of March, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph D. Pesavento Jr., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*D. M. Martuscello*  
Notary Public

DANIEL M. MARTUSCELLO  
NOTARY PUBLIC, State of New York  
Qualified in Ulster County  
Commission Expires Sept. 30, 2010

STATE OF NEW YORK )  
ss:  
COUNTY OF ULSTER )

On the 1st day of March, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis F. Pesavento, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*D. M. Martuscello*  
Notary Public

DANIEL M. MARTUSCELLO  
NOTARY PUBLIC, State of New York  
Qualified in Ulster County  
Commission Expires Sept. 30, 2010

STATE OF NEW YORK )  
ss:  
COUNTY OF ULSTER )

On the 1st day of March, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared Marilyn Cappillino, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*D. M. Martuscello*  
Notary Public

DANIEL M. MARTUSCELLO  
NOTARY PUBLIC, State of New York  
Qualified in Ulster County  
Commission Expires Sept. 30, 2010  
NOTARY PUBLIC, State of New York  
Qualified in Ulster County  
Commission Expires Sept. 30, 2010

R & R to:

✓  
Rusk, Wedlin, Heppner & Martuscello, LLP  
1390 Route 9W, P.O. Box 727  
Marlboro, New York 12542

CHECKED  
ENTERED

MARK/OFF

*Pesavento Estate - vacant lot*

## SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Village and Town of Marlborough, County of Ulster and State of New York, known and designated as Lots Nos. 9, 10 and 11 on Map of lands of Matthew Berean, a lunatic, made by William Carpenter, Surveyor, on March 8, 1887, and bounded and described collectively as follows:

BEGINNING at the point of junction of Orange Street extended on the east side and lands formerly of Emma G. Terwilliger on north, running thence South  $63^{\circ} 40'$  E 102 feet 8 inches to lands formerly of Franklin Clark; thence along lands formerly of Franklin Clark and Edward J. Cumiskey, South  $13^{\circ}$  W 150 feet 5 inches to formerly the School House Lot; thence along said School House Lot North  $81^{\circ}$  W 108 feet 3 inches to east side of said Orange Street extended; thence North  $15^{\circ} 50'$  E 180 feet 10 inches along east side of said Orange Street extended to place of beginning, containing one-half acre be it more or less.

RESERVING AND EXCEPTING from the above described premises, all that part of Lot #9 bounded and described as follows:

BEGINNING at a point on the easterly side of Orange Street extended at the northwest corner of Lot No. 8 on said map formerly known as a part of the School House Lot and running from thence along the northerly bounds of said Lot No. 8 108 feet 3 inches to the southwest corner of Lot No. 2 now or formerly owned by Edward J. Cumiskey; thence along the westerly bounds of said Lot No. 2 North  $13^{\circ}$  E 59 feet to the southwest corner of Lot No. 1 formerly owned by Franklin Clark; thence along the southerly bounds of Lot No. 10 North  $81^{\circ}$  W 40 feet to an iron marker set in the ground; thence South  $13^{\circ}$  W 43 feet more or less to an iron marker set in the ground; thence North  $81^{\circ}$  W parallel with the northerly bounds of said Lot No. 8 and 16 feet distant therefrom 67 feet more or less to a point on the easterly side of said Orange Street extended; thence along the easterly bounds of said Orange Street extended South  $15^{\circ} 50'$  W 16 feet to the point or place of beginning.



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: 6992 / 114  
INSTRUMENT #: 2022-1128

Receipt #: 2022004383  
Clerk: RS  
Rec Date: 01/19/2022 03:01:16 PM  
Doc Grp: D  
Descrip: DEED  
Num Pgs: 4  
Rec'd Frm: UNIVERSAL LAND ABSTRACT INC

Party1: JOEMARDEN LLC  
Party2: JOEMARDEN LLC  
Town: MARLBOROUGH

Recording:

Cover Page	5.00
Recording Fee	30.00
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: 310.00

Transfer Tax	
Transfer Tax - State	0.00

Sub Total: 0.00

Total: 310.00  
\*\*\*\*\* NOTICE: THIS IS NOT A BILL \*\*\*\*\*

\*\*\*\*\* Transfer Tax \*\*\*\*\*

Transfer Tax #: 3364  
Transfer Tax  
Consideration: 0.00

Total: 0.00

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.

Record and Return To:

JOEMARDEN LLC  
1625 RT 9W  
MILTON NY 12547

*Nina Postupack*  
Nina Postupack  
Ulster County Clerk

**JOEMARDEN, LLC**, a New York Limited Liability Company, 1625 RT 9W, Milton, NY  
12547, **party of the first part, and**

**JOEMARDEN, LLC**, a New York Limited Liability Company, 1625 RT 9W, Milton, NY  
12547, **party of the second part,**

**WITNESSETH**, That the party of the first part, in consideration of ten dollars paid by the party of the second part, do hereby remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

All that tract or parcel of land situate in the Town of Marlborough, County of Ulster, State of New York, described as follows:

**PLEASE SEE SCHEDULE "A" ATTACHED**

**BEING** a portion of the same premises described in a deed, dated March 1, 2008 and recorded in in the Ulster County Clerk Office's on March 24, 2008 as Instrument Number 2008-5124 at book of Deeds Volume 4536 at Page 175. It is the intention of this Deed to confirm that said parcel is a part of the premises described a Deed dated March 1, 2008 and filed recorded in in the Ulster County Clerk Office's on March 11, 2008 as Instrument Number 2008-4483 at book of Deeds Volume 4531 at Page 32.

**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.

**IN WITNESS WHEREOF**, the party of the first part has hereunto set their hand and seal the day and year first above written.

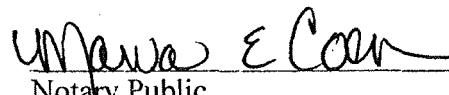
**IN PRESENCE OF:**

JOEMARDEN, LLC

  
\_\_\_\_\_  
By: Marilyn Cappillino, Member

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

On the 19<sup>th</sup> day of November 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared **MARILYN CAPPILLINO**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

**RECORD & RETURN TO:**

JOEMARDEN, LLC  
1625 RT 9W  
Milton, NY 12547

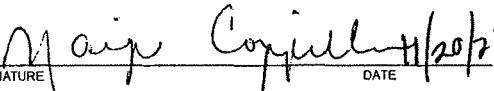
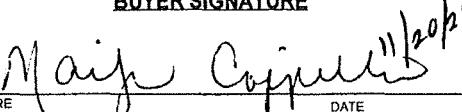
MARIA E. COEN  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. HNCO6027790  
Qualified in Ulster County  
Commission Expires Oct. 17, 2023

## SCHEDULE "A"

ALL THAT PARCEL of land situate in the Town of Marlborough, County of Ulster, and State of New York being the portion of land included in both Deed Liber 4531 at page 032 and Deed Liber 4536 at page 175, said parcel being more particularly bounded and described as follows:

BEGINNING at an 8 inch spike set in blacktop at the northwest corner of the herein described parcel of land, said point being South 63°40'00" East 33.05 feet from the northwest corner of the premises conveyed to Joemarden, LLC as recorded in Deed Liber 4531 at page 032, and running thence along the northerly bounds of the herein described parcel South 63°40'00" East 39.78 feet to a point, thence through lands of Joemarden, LLC the following: South 27°47'44" West 27.75 feet to a rebar found set, thence North 55°57'16" West 40.00 feet to a pk nail found set in blacktop, and thence North 27°47'44" East 22.35 feet to the point of beginning.

Containing 0.02 acre or 997 Square feet

1. Property Location	43	Western Ave.			
*STREET NUMBER		*STREET NAME			
Marlborough		12542			
*CITY OR TOWN		VILLAGE			
2. Buyer Name	JOEMARDEN, LLC	* ZIP CODE			
* LAST NAME/COMPANY		FIRST NAME			
LAST NAME/COMPANY		FIRST NAME			
3. Tax Billing Address	Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form)				
LAST NAME/COMPANY		FIRST NAME			
STREET NUMBER AND NAME		CITY OR TOWN			
STATE		ZIP CODE			
4. Indicate the number of Assessment Roll parcels transferred on the deed	1	# of Parcels	OR	<input checked="" type="checkbox"/> Part of a Parcel	(Only If Part of a Parcel) Check as they apply:
5. Deed Property Size	40	X	150	OR	0.00
* FRONT FEET		* DEPTH		*ACRES	
6. Seller Name	JOEMARDEN, LLC		FIRST NAME		
* LAST NAME/COMPANY		LAST NAME/COMPANY		FIRST NAME	
*7. Select the description which most accurately describes the use of the property at the time of sale:					
F. Commercial					
Check the boxes below as they apply:					
8. Ownership Type is Condominium <input type="checkbox"/>					
9. New Construction on a Vacant Land <input type="checkbox"/>					
10A. Property Located within an Agricultural District <input type="checkbox"/>					
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District <input type="checkbox"/>					
SALE INFORMATION					
11. Sale Contract Date	N/A		15. Check one or more of these conditions as applicable to transfer:		
* 12. Date of Sale/Transfer	11/20/2021		<input type="checkbox"/> A. Sale Between Relatives or Former Relatives <input type="checkbox"/> B. Sale between Related Companies or Partners in Business. <input checked="" type="checkbox"/> C. One of the Buyers is also a Seller <input checked="" type="checkbox"/> D. Buyer or Seller is Government Agency or Lending Institution <input checked="" type="checkbox"/> E. Deed Type not Warranty or Bargain and Sale (Specify Below) <input type="checkbox"/> F. Sale of Fractional or Less than Fee Interest (Specify Below) <input type="checkbox"/> G. Significant Change in Property Between Taxable Status and Sale Dates <input type="checkbox"/> H. Sale of Business is Included in Sale Price <input type="checkbox"/> I. Other Unusual Factors Affecting Sale Price (Specify Below) <input type="checkbox"/> J. None		
*13. Full Sale Price	0.00		*Comment(s) on Condition:		
(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.					
14. Indicate the value of personal property included in the sale	0.00		Quit Claim Deed		
ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill					
16. Year of Assessment Roll from which Information taken(YY)	21	*17. Total Assessed Value		147,000	
*18. Property Class	482	*19. School District Name		Marlboro CSD	
*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional Identifier(s)) portion of 108.12-1-14					
CERTIFICATION					
I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.					
SELLER SIGNATURE			BUYER CONTACT INFORMATION		
 SELLER SIGNATURE DATE			(Enter information for the buyer. Note: If buyer is LLC,society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)		
 BUYER SIGNATURE DATE			CAPPILLINO MARILYN * LAST NAME FIRST NAME		
			* AREA CODE *TELEPHONE NUMBER (Ex: 9999999)		
			* STREET NUMBER * STREET NAME		
			* CITY OR TOWN * STATE * ZIP CODE		
BUYER'S ATTORNEY					