

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

Application # 231005

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

Please refer to Town of Marlborough Route 9W Corridor Building and Site Design Guidelines for New Commercial Construction and Rehabilitation of Existing Buildings.

[<https://www.townofmarlboroughny.org/Search?searchPhrase=Route%209W%20Corridor%20Building%20and%20Site%20Design%20Guidelines>]

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

Date of Initial Submission and Latest Revision	3-10-23
Name of Project	44/55 Wash & Shine
Address of Project	560 Rt 44/55
Tax Section, Block, and Lot Number	95.2-2-16.200 & 95.2-2-15
Zoning District	C-2
Number of Acres	1.61
Square Footage of Each Building	2000

Reason For Application:

Combine two existing tax parcels, proposed site plan for new car wash adjacent to existing fuel station

Description of Proposal 155-31 E (3) (a):

Combine two existing tax parcels, to allow construction of 3 bay automatic/self service car wash adjacent to existing fuel station. Car wash will be services from existing drilled well and will have self contained effluent treatment and storage. No on-site or municipal sewerage system is required.

Site use will be contiguous with existing fuel station, including shared entrance (existing).

Proposed use is in accordance with approved zoning uses for the C-2 district. Municipal sewer is not needed since the system is self contained.

CONTACT INFORMATION	
Name of Property Owner	Sainthan Corp
Address of Property Owner	3 Jonathan Ct, Highland NY 12528
Telephone Number of Property Owner:	845-389-8641
Email of Property Owner	syp247@gmail.com
Name of Applicant	Yashvant Patel
Address of Applicant	3 Jonathan Ct, Highland NY 12528
Telephone Number of Applicant	845-389-8641
Email Address of Applicant	syp247@gmail.com
Name of Surveyor	
Address of Surveyor	
Telephone Number of Surveyor	
Email Address of Surveyor	
Name of Engineer	
Address of Engineer	
Telephone Number of Engineer	
Email Address of Engineer	
Name of Attorney	
Address of Attorney	
Telephone Number of Attorney	
Email Address of Attorney	
Name & Profession of Other Involved Personnel	
Address of Other Involved Personnel	
Telephone Number of Other Involved Personnel	
Email of Other Involved Personnel	

Town of Marlborough Planning Board

Checklist For Site Plan Application

Revision 3-14-2022

The following items shall be submitted for a Planning Board Site Plan Application to be considered complete. Site plans and Checklist shall be prepared by a licensed professional engineer, architect, land surveyor or landscape architect. Additional Town Codes apply to all site plans.

Please check each required item. Y for yes provided, N for not provided, or RW for Request Waiver. **Provide a written explanation for any requested waivers from the checklist.** After final approval is given by the Planning Board, the Building Department should be contacted for further guidance.

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

12 Y	Map of the site includes North arrow, scale, and date. 155-31 E (4) (b).
13 Y	Map of the site depicts boundaries of the property with surveyed dimensions. 155-31 E (4) (c).
14 Y	Names of all owners of record adjacent to the applicant's property are indicated. 155-31 E (4) (d).
15 Y	Existing school district (if applicable), zoning district, and overlay district boundaries (if applicable), within 500 feet of the site's perimeter is indicated. 155-31 E (4)(e).
16 Y	Map of the site depicts acreage of each distinct existing and proposed land use on the applicant's property, and the proposed density of each if residential uses are proposed. 155-31 E (4) (f).
17 N	Grading and drainage plan showing existing and proposed contours with intervals of two feet extending 50 feet beyond the tract. If any portion of the parcel is within a one-hundred-year floodplain as determined by the Federal Emergency Management Agency (FEMA), the area will be shown and base flood elevations given. 155-31 E (4) (g).
18 Y	Map of the site depicts location and boundaries of all existing natural land features on the property, including rock outcrops, isolated trees 12 inches or more in diameter at breast height (dbh) and all trees over 24 inches in dbh (whether isolated or in a forested area), existing vegetative and forest cover, orchards, hedgerows and other ornamental landscaping, stone walls, soil types and boundaries, active farmlands, visually prominent agricultural landscape features, such as fields, pastures, and meadows on knolls and hilltops, woodlands along roadways, property lines, and streams, steep slopes in excess of 15%, and water sources. Water sources include ponds, lakes, wetlands and watercourses, primary aquifers and primary aquifer recharge areas, floodplains, and drainage retention/detention areas. The plan shall show locally significant trees which include rare or unusual species, trees associated with historic events or persons, or trees that significantly contribute to a unique scenic viewshed. 155 E (4) (h).
19 Y	Location of all existing buildings, structures, signs, and agricultural lands, on adjacent property within 100 feet of the subject lot lines is shown. 155-31 E (4) (i).
20 N	Map of the site depicts location, proposed use, height, and setback measurements of all existing and proposed buildings, structures and signs on the applicant's property, including floor plans, and plans for exterior elevations, at a scale of 1/4 inch equals one foot, showing the structure's mass and architectural features, and indicating the type and color of materials to be used. A table indicating square footage of building areas to be used for a particular use, such as retail operation, office use, warehousing, or other commercial activity; maximum number of employees; maximum seating capacity, where applicable; and number of parking spaces existing and required for the intended use. 155-31 E (4) (j).
21 Y	Traffic flow patterns within the site, entrances and exits, the location of potential interconnections between the project site and adjoining sites, truck/commercial vehicle loading and service areas, curb cuts on the site and within 100 feet of the site, and all streets which are either proposed, mapped or built are indicated. 155-31 E (4) (k). The Town requires right-of-way of 25 feet from the center line of Town roads along the property frontage. See also 155-31 G (8).
22 Y	Any cross-access easements, walkways, and bicycle path opportunities associated with the project are indicated. 155-31 E (4) (l).

23 Y	The location, design (including size of spaces, and accessible parking information) and construction materials of all off-street parking areas (open and enclosed, if any), including the number of parking spaces required and to be provided is indicated. 155-31 E (4) (m) and 155-31 G (9) (c) Off-street parking spaces are a minimum of 162 square feet each. See 155-27 A (1) (a).
24 Y	The location, design and construction materials of all present and proposed walkways, bicycle paths and bicycle parking, benches, ramps, outdoor storage or display areas, retaining and/or landscaping walls and fences is indicated. 155-31 E (4) (n).
25 Y	A general and conceptual landscape plan showing proposed changes to existing natural land features. Trees to be saved shall be noted on site plans, and appropriate measures shall be outlined to protect the tree stock from damage during construction. 155-31 E (4) (o). Native species are encouraged. 155-31 G (17) (b).
26 Y	Map of the site depicts the location, design and construction materials of all existing and proposed water supply system. 155-31 E (4) (p) [1].
27 X	Map of the site depicts the location, design and construction materials of all existing and proposed sewage disposal system. 155-31 E (4) (p) [2].
28 Y	Map of the site depicts the location, design and construction materials of all existing and proposed telephone, cable and energy systems, including electric, oil, gas, solar, or other energy systems. 155-31 E (4) (p) [3].
29 Y	Map of the site depicts the location, design and construction materials of all existing and proposed storm drainage system, including but not limited to existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, manholes, and drainage swales. 155-31 E (4) (p) [4] Identify a distance off site to show drainage structures or a natural discharge location.
30 Y	The location of fire and emergency access ways and zones, including the location of fire hydrants or of the nearest alternative water supply for fire emergencies are indicated. 155-31 E 4 (q) Discussed lock box provision with fire department (see Milton or Marlboro Fire District) except on single family detached residential dwellings See also 155-31 G (13).
31 Y	The location, type, and screening details for solid waste disposal facilities and containers is indicated. 155-31 E (4) (r).
32 N	The proposed location, height, orientation, type of illuminating device, bulb type and wattage, and photometric data of all outdoor lighting fixtures is indicated. 155-31 E (4) (s). See also 155-31 G (14)
33 Y	The location, height, size, materials, design, and illumination of all present and proposed signs and other advertising or instructional devices are indicated. 155-31 E (4) (t) See also 155-28.
34 N	Estimates of noise generation at the source and property line are provided. 155-31 E (4) (u). See also 155-31 G (16).
35 Y	Inventory and quantity of hazardous materials anticipated for on-site storage and/or use, if applicable, are provided. 155-31 E (4) (v).
36 N	Plans for the disposal of construction and demolition, waste, whether on-site or at a New York State approved solid waste management facility are indicated. 155-31 E (4) (w).
37 N	A park or open space is being provided see 155-31 E (4) (x).
38 Y	For projects involving more than one phase, a site plan showing each phase of the project is included. 155-31 E (4) (y)

39 N	Proposed days and hours of operation are indicated. 155-31 E (4) (z).
40 Y	A copy of the deed to the property as most recently filed and/or a copy of the executed contract of sale is included 155-31 E (4) (aa) [1].
41 Y	A copy of each covenant, easement or deed restriction in effect or intended to cover all or part of the tract is included 155-31 E (4) (aa) [2].
42 Y	Enforceable map notes of stormwater drainage, utility rights-of-way, etc., are indicated 155-31 E (4) (aa) [3].
43 Y	Identification, and submittal when available, of all necessary permits from federal, state, county or local agencies, approvals required from said agencies for the project's execution, and proof of special permit and/or variance approvals, if applicable, are included 155-31 E (4) (aa) [4].
44 Y	Short-unlisted actions or full EAF Type one action, as required by the lead agency under the Environmental Conservation Law, is complete and included. See 155-31 E (4) (aa) [6] Environmental Assessment Form. Applicants must use NYSDEC* web based system EAF mapper Application. https://www.dec.ny.gov/permits/6191.html Make sure to unblock popups.
45 Y	Twelve (12) copies of all maps, plans, reports, and a PDF file of all documentation submitted. Plan sets must be submitted in collated packages. (155 E, 155-31 E (5)). (See section 75-6 B. (6) regarding plan stamp requirements of licensed professional).
46 Y	Agricultural Data Statement (if applicable). See also 155-52 Setbacks and buffers from active agricultural lands.

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

By: David Feeney
Licensed Professional



Stamp

3/9/23

Date

Rt 44/55 Wash & Shine

Site Plan Application

Submission Exceptions

- 17) Parcel is relatively flat (<5%) in area of work. Grading will remain similar to existing.
- 20) Building plans are not developed yet. Footprint along with setbacks has been provided.
- 32) Exterior lighting plan has not been completed at this time.
- 34) No noise studies have been completed.
- 36) All construction debris will be removed from site.
- 37) No open space is being provided.
- 39) Operation hours are expected to be 24x7. The facility is self operated.

**Town of Marlborough Planning Board
Legal Notices for Public Hearing**

Procedure for Legal Notices:

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

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

Phone: 845-795-6167

Email: marlboroughplanning@marlboroughny.us

Ethics Code

TOWN OF MARLBOROUGH NOTICE OF DISCLOSURE OF INTEREST

In accordance with the Town of Marlborough Code of Ethics, Article 13-3 (E) and Public Officers Law § 209, the following disclosure notice ("notice") must be completed and signed by any individual, including any officer or employee of the Town of Marlborough, who has an application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, special use permit, site plan, subdivision, exemption from a plat or official map, license or permit, pursuant to the provisions of the zoning and planning regulations of the Town of Marlborough before any Town of Marlborough Board, Agency or Department ("decision-making authority"), in which a Town officer or employee has an interest in the subject of the application. The purpose of the disclosure notice is to identify and disclose any potential or actual conflict of interest for the Town employee or officer, which may compromise his/her ability to make decisions solely in the public interest. Please refer to the Town of Marlborough Code of Ethics for further information.

Under the Town of Marlborough Code of Ethics an interest is defined as: a participation, connection or involvement of any sort whether direct or indirect, pecuniary or non-pecuniary, personal or professional, which may result in a benefit. For the purposes of the Town of Marlborough Code of Ethics, the "interests" of a Town officer or employee shall be deemed to include the "interest" of:

- A. An immediate family member. Immediate family member is defined as: grandparents, parents, spouse, significant other, children, grandchildren, brother, sister, dependent, or any household member of a Town officer, Town Board member or employee.
- B. Any person other than a bank, trust company or other lending institution with whom he/she has a substantial debtor-creditor or other financial relationship.
- C. Any person by whom he/she is employed or of which he/she is an officer, director or member having a controlling interest in any business or enterprise in which the Town employee or officer holds stock or has any other profit-bearing or beneficial relationship.
- D. An officer or employee shall also be deemed to have an interest in a matter if he/she or any person described in A through C above is a party to an agreement, expressed or implied, with any applicant before any Board of the Town, whereby he/she may receive any payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of any such application, petition or request by any Town body.

This notice must be completed and included with the application, petition or request to the appropriate Town of Marlborough Board, Agency or Department.

I, Josh Patel, residing at 3 Juniper Court, New U, make the following statements about interests in the real property which is the subject of this 12578

application, petition or request for a Site Plan Review,

before the Planning Bd 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: _____

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.

Notan

Planning Board Fees

(All Applications Subject To Escrow Fees)

Please make checks payable to: Town of Marlborough

Application Fees:

Residential Subdivision – Single Family or Town House	\$750.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$750.00, plus \$100.00 Per Unit
Commercial Subdivision	\$600.00, plus \$200.00 per Lot or Unit
Commercial Site Plan	\$1,000.00, plus \$10.00 per 1,000 sf of Building <i>X</i>
All Other Site Plan Reviews	\$550.00
Lot Line Revision	\$600.00

Recreation Fees (Residential Subdivisions & Site Plans – Excludes parent parcel)	\$2,000.00 per Lot or Unit
Recreation Fees Adult Multiple Dwelling Affordable Housing (50 and over)	\$500.00 per Unit

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

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

Engineer Inspection Fees (All Town Road Installation Inspections)

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

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

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

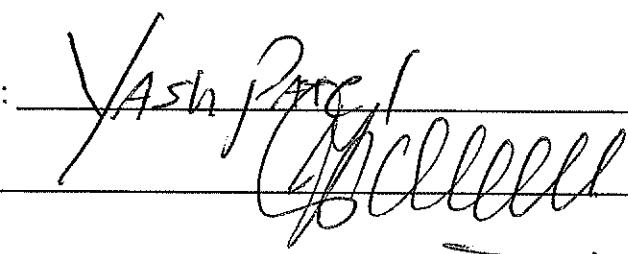
AFTER FINAL APPROVAL IS GIVEN BY THE PLANNING BOARD, THE BUILDING DEPT. MUST BE CONTACTED FOR FURTHER GUIDANCE.

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

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

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

Applicant's Name (Print): Yash Patel

Applicant's Signature: 

Date: 3/10/23

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

Town of Marlborough Planning Board

Letter of Agent

I (We), Yashvant Patel am (are) the owner(s) of a parcel of land located on Rt 44-55 560 in the Town of Marlborough, Tax Map Designation: Section _____ Block _____ Lot _____.

I (We) hereby authorize Dave Feney 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, or Lot Line Revision Application. (circle one)

Signature

Date

3/10/23

Signature

Date

Yashvant Patel

State Of New York

County of Ulster

On the 10th day of March in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared

Yashvant Patel, 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.

Penny E Cashman
Notary Public

PENNY E CASHMAN
Notary Public, State of New York
Registration No. 01CA6372126
Qualified in Ulster County
Commission Expires March 12, 2026

Short Environmental Assessment Form

Part 1 - Project Information

leads both lots

Instructions for Completing

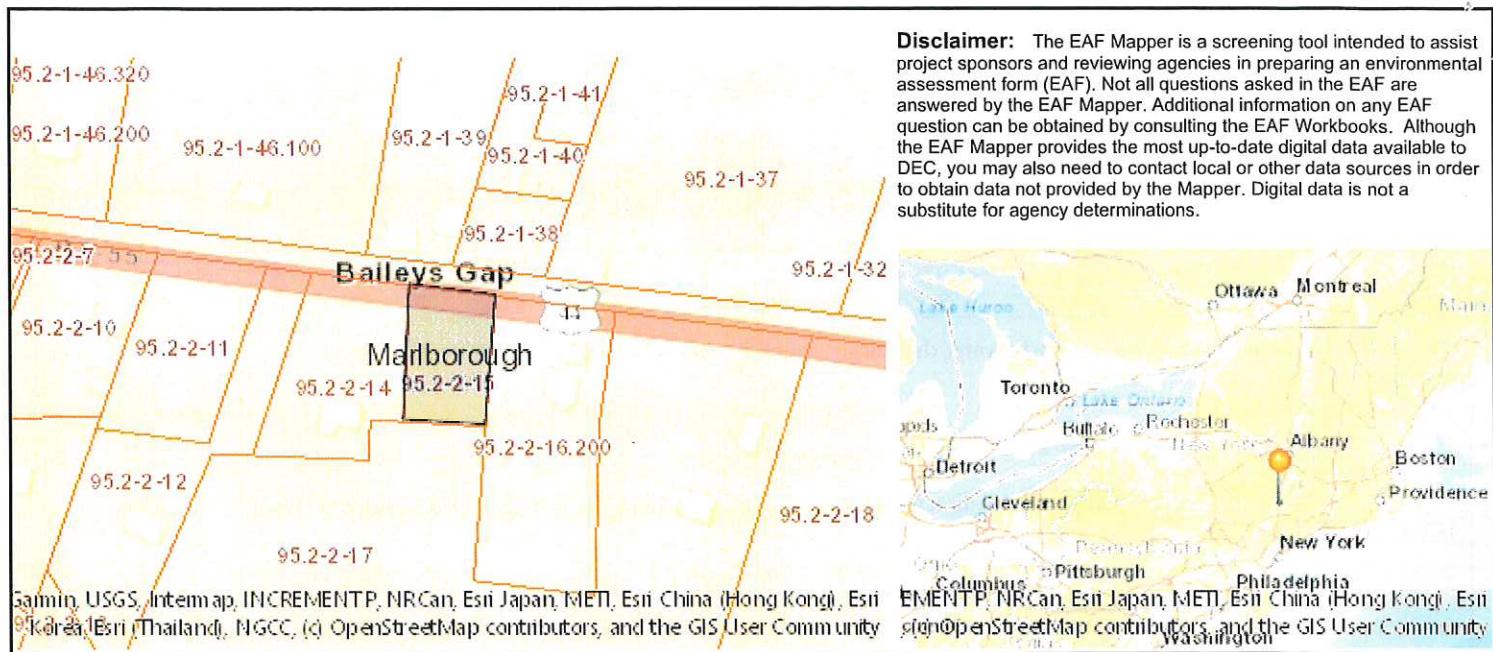
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information		
Name of Action or Project: <i>44-55 Wash & Shine (TBD)</i>		
Project Location (describe, and attach a location map): <i>560 Route 44/55</i>		
Brief Description of Proposed Action: Construction of 3 bay self contained car wash		
Name of Applicant or Sponsor: <i>Sainthan Corp</i>		Telephone: <i>845 389-8641</i> E-Mail: <i>Sypt247@gmail.com</i>
Address: <i>3 Jonathan Ct</i>		
City/PO: <i>Highland</i>		State: <i>NY</i> Zip Code: <i>12528</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: <i>Town of Marlborough</i>		
3. a. Total acreage of the site of the proposed action? <i>1.61</i> acres b. Total acreage to be physically disturbed? <i>0.58</i> acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <i>1.61</i> acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:		
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
<input type="checkbox"/>	<input checked="" type="checkbox"/>		
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. Are public transportation services available at or near the site of the proposed action?	NO	YES	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____ _____	<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: _____ _____ _____ System is self contained tank/filtration system with sediment tank for capture and pump out as required. No discharge on site to private or public systems.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
<input type="checkbox"/>	<input checked="" type="checkbox"/>		
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	NO	YES	
<input checked="" type="checkbox"/>	<input type="checkbox"/>		
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Wetland CD-45 located in excess of 250' from property boundaries, located on on opposite side of Rt 44/55. _____	<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:		NO	YES
<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		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		NO	YES
a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: Existing swale/culvert system located along property boundary /Rt 44/55		<input type="checkbox"/>	
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:		NO	YES
If Yes, explain the purpose and size of the impoundment: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:		NO	YES
If Yes, describe: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:		NO	YES
If Yes, describe: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor/name:		Date: 3/8/23	
Signature:		Title: Owner	



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Ulster County
Nina Postupack
County Clerk
Kingston, NY 12401



60 2010 00005586

Volm-4922 Pg-163

Instrument Number: 2010-00005586

Recorded On: April 23, 2010
As
D01 - Deed

Parties: CLAY JOHN E

To
SAINTHAN CORP

Billable Pages: 3

Recorded By: RIVER CITY

Num Of Pages: 3

Comment:

** Examined and Charged as Follows: **

D01 - Deed	55.00	RP5217-125	125.00	Tax Affidavit TP 584	5.00
Recording Charge:	185.00				
		Consideration Amount	Amount	RS#/CS#	
Tax-Transfer	208.00	52,000.00	3371	Basic	0.00
MARLBOROUGH					Special Additional 0.00 Transfer
Tax Charge:	208.00				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:

Record and Return To:

Document Number: 2010-00005586

VINCENT J CATALANO ESQ

Receipt Number: 909861

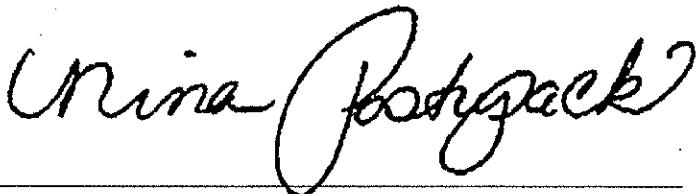
4 LIBERTY ST

Recorded Date/Time: April 23, 2010 03:39:32P

POUGHKEEPSIE NY 12601

Book-Vol/Pg: Bk-D VI-4922 Pg-163

Cashier / Station: s smar / Cashier Workstation 6



Nina Postupack Ulster County Clerk

3
310 BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS
(INDIVIDUAL OR CORPORATION)

THIS INDENTURE, made the 16th day of April, 2010, between **JOHN E. CLAY**, presently residing at 2 Deerfield Lane, New Paltz, Ulster County, New York 12561, party of the first part, and **SAINTHAN CORPORATION**, a domestic, New York corporation with offices for the transaction of business located at 2 Jonathan Court, Highland, Town of Lloyd, Ulster County, New York, party of the second part;

WITNESSETH, that the party of the first part, in consideration of 10.00 dollars, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

See Schedule A attached.

BEING the same premises described conveyed by Deborah Feringa and Larry Feringa to John E. Clay and Dorothy E. Clay, Husband and Wife, by deed dated January 23, 1986 and recorded in the Ulster County Clerk's Office on January 28, 1986 in Liber 1575 of Deeds at Page 223.

BEING the same premises described in a deed from John E. Clay and Dorothy E. Clay to John E. Clay by deed dated June 3, 2004 and recorded in the Ulster County Clerk's Office on June 17, 2004 as Instrument No. 2004-17869.

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 parties of the first part covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever.

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 costs 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.

TITLE NO. RCA-LT-44897

SCHEDULE A

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 bounded and described as follows:

BEGINNING at a pipe found in the Southerly line of Route 44/55 at the Northeast corner of the herein described parcel, thence along lands now or formerly of Rhodes, South 16 degrees 02' 00" West 146.81 feet to a point, thence North 73 degrees 57'00" West 105.00 feet to a point; thence North 16 degrees 03' 00" East 149.81 feet to a point in the Southerly side of Route 44/55, thence South 72 degrees 18' 45" East 105.00 feet to the point or place of BEGINNING.

Please Record As Receiver To:
VINCENT J. CATALANO, Esq.
4 Liberty Street
Poughkeepsie, NY 12601

For conveyancing only,
to be conveyed

Together with all right, title if intended and
interest of, in and to any streets and road
abutting the above described premises, to the
center line thereof.

Ulster County
Albert Spada
County Clerk
Kingston, NY 12401



60 2005 00014567

Instrument Number: 2005-00014567

Recorded On: June 02, 2005 As
D14 - Easement

Parties: RHODES MICHAEL A
To
SAINTHAN CORP

Billable Pages: 5

Recorded By: RIVER CITY ABSTRACT

Num Of Pages: 5

Comment: MARLBORO

** Examined and Charged as Follows: **

D14 - Easement	40.00	Tax Affidavit TP 584	5.00
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Recording Charge:	45.00
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	Amount	Consideration	Amount	RS#/CS#			
Tax-Transfer	0.00		0.00	6323	Basic	0.00	
					Additional	0.00	Special Additional 0.00
						Transfer	0.00
Tax Charge:	0.00						

BO 1

** 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:

Record and Return To:

Document Number: 2005-00014567

VANDEWATER&VANDEWATER ESQS

Receipt Number: 293216

PO BOX 112

Recorded Date/Time: June 02, 2005 04:13P

POUGHKEEPSIE NY 12602

Book-Vol/Pg: Bk-D VI-4088 Pg-189

Cashier / Station: b bhan / Cashier Workstation 3



Albert Spada

ALBERT SPADA, ULSTER COUNTY CLERK

EASEMENT AGREEMENT

EEA-SF-34296

5
m/sle

THIS INDENTURE, made as of the 13th day of May, 2005, between MICHAEL A. RHODES, residing at 5300 Washington Street, H-240, Hollywood, Florida 33021 ("Party of the First Part"), and SAINTHAN CORP., a New York corporation with an office at 3 Jonathan Court, Highland, New York 12538 (AParty of the Second Part@).

WHEREAS, the Party of the First Part is the owner of that certain parcel of real property located in the Town of Marlborough, County of Ulster and State of New York known as 552 Route 44-55, Highland New York, and identified by Tax Map No. 95.2-2-17 on the Tax Map of the Town of Marlborough; and

WHEREAS, the Party of the Second Part is the owner of that certain parcel of real property located in the Town of Marlborough, County of Ulster and State of New York known as 560 Route 44-55, Highland New York, and identified by Tax Map No. 95.2-2-16.200 on the Tax Map of the Town of Marlborough; and

WHEREAS, the parcels of land owned by the Party of the First Part and the Party of the Second Part, as described in the preceding paragraphs, share a common boundary line; and

WHEREAS, the parties hereto wish to confirm the mutual terms and conditions under which the parties hereto and their permittees may travel across such common boundary line for purposes of ingress and egress;

CHECKED BT
ENTERED BT

MARK/OFF

✓ River City Abstract

B2

NOW, THEREFORE, that the parties hereto in consideration of the premises and the sum of One and 00/100 (\$1.00) Dollar, lawful money of the United States, the receipt and adequacy of which is hereby acknowledged, do hereby covenant and agree as follows:

1. Either party, upon the prior consent of the other party, which consent shall not be unreasonably withheld, delayed or conditioned, shall be entitled to travel across the common boundary between their respective properties, beginning at the point of the culvert at the commonly maintained ditch (Liber 1496 at page 557) and the driveway opening framed by two stone columns and lampposts on the east side of such ditch. The party requesting and receiving permission shall be permitted to cross to the other party's property for the purpose of ingress and egress, vehicular and pedestrian, to and from Route 44-55 to the north of such driveway opening, using such other party's driveway currently in existence or, if obstructed, by other means of ingress or egress taking the most direct route across an existing driveway.

2. Such request shall be made and permission shall be granted at least twenty four (24) hours prior to the intended use of the party's property. Such requests shall be made and granted not more than six (6) times during any calendar year. Permission granted shall be valid for a period of twenty four

(B3)

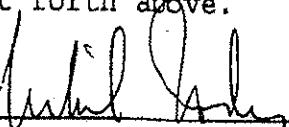
(24) hours commencing with the first use of such temporary access, unless extended by the party granting such permission. Any damage caused by such permitted ingress and egress shall be promptly repaired by the party causing the same.

3. Any disputes arising out of this Easement Agreement, including, without limitation, the withholding of permission, shall be resolved by action commenced in the Supreme Court of the State of New York, in and for the County of Ulster.

4. This Agreement shall remain in effect for such period of time as the Party of the First Part or a member of his family or his legal heir owns the property adjoining the property owned by the Party of the Second Part. If and when such ownership shall cease, this Agreement shall terminate and be of no further force and effect.

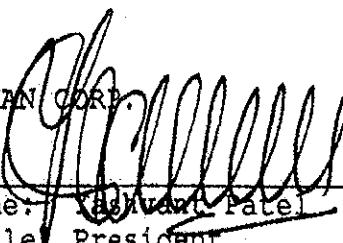
5. This Agreement supercedes the Easement Agreement dated December 21, 1983 made by Josephine Rhodes and Michael Finn and Marianna Finn and recorded on December 23, 1983 in Liber 1496 of Deeds at page 560, which Easement Agreement is hereby extinguished.

IN WITNESS WHEREOF, the parties have executed this instrument as of the date first set forth above.


Michael A. Rhodes


B-4

SAINTHAN CORP.

By: 

Name: Michael A. Rhodes
Title: President

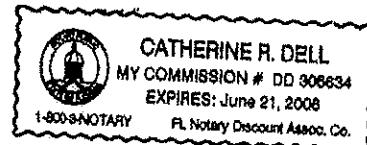
STATE OF FLORIDA)
) ss.:
COUNTY OF BROWARD)

On the 11th day of May, 2005, before me, the undersigned, a notary public in and for said state, personally appeared Michael A. Rhodes, 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(is), 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.

Catherine R. Dell

NOTARY PUBLIC

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



On the 10th day of May, 2005, before me, the undersigned, a notary public in and for said state, personally appeared Yashvant Patel, 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(is), 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.

Susan T. Hunt

NOTARY PUBLIC

Susan T. Hunt
Notary Public, State of New York
No. 4797868
Qualified in Ulster County
Commission Expires 06/30/07

PLEASE Record and Return To:
VanDeWater & VanDeWater, LLP

P.O. Box 112

Poughkeepsie, NY 12602

ATT: Gerard Corrata, Esq.

BS

1496 - 557

DRAINAGE DITCH MAINTENANCE AGREEMENT

This agreement, by and between JOSEPHINE RHODES, Route #2, Box 501 R, Highland, New York 12528, hereinafter called "Rhodes", and MICHAEL G. FINN and MARIANNA FINN, husband and wife, 292 A, Pancake Hollow Road, Highland, New York 12528, hereinafter called "Finn",

WHEREAS, by deed dated and to be recorded simultaneously herewith, Rhodes has sold a 1.25 acre parcel of land to Finn, the easterly boundary of which, contains a drainage ditch for the conveyance of storm waters from the properties of the parties and,

WHEREAS, the parties wish to provide for maintenance of the said drainage ditch,

NOW, therefore, it is agreed as follows:

1. The parties agree that they will cooperate and repair and maintain the ~~MF AND~~
~~ON THE EASTERN BOUNDARY LINE OF FINN'S PROPERTY~~
drainage ditch between their properties, as needed so that their respective premises shall not be flooded or incur damage due to the run-off of storm waters.

2. The parties hereto and their heirs or assigns are to confer annually, as to the need for cleanout and/or major repair or reconstruction, and shall, if agreement is reached that maintenance is needed, obtain estimates of costs, and designate the party who is to contract for the work. The other party, after consent as to the amount and necessity of the work to be done, will contribute 50% of the cost, payable within thirty (30) days of completion of the work.

3. If there is any disagreement as to the necessity of the repairs, maintenance or capital construction, or the costs thereof, the parties agree, prior to the institution of any law suit, to submit their disagreement to arbitration, at the discretion of the first party to file for arbitration, either under the rules

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of the American Arbitration Association, or to the local Town Justice Court in the Town of Marlborough, and obtain a ruling.

4. This maintenance agreement shall run with the land forever and be binding upon the heirs and assigns of the parties hereto with respect to the maintenance of the said drainage ditch.

5. This agreement may not be changed except by a writing signed by the parties, or their heirs and assigns, in a form acceptable for recording.

IN WITNESS WHEREOF, the parties have set their hands and seals this 21st day of December, 1983.

Josephine M. Rhodes
JOSEPHINE M. RHODES
Michael G. Finn
MICHAEL G. FINN

Marianna Finn
MARIANNA FINN

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

On this 21st day of December, 1983, before me, the subscriber, personally appeared JOSEPHINE RHODES, to me personally known and known to me to be the same person described in and who executed the within Instrument, and he acknowledged to me that he executed the same.

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

Levius C. Di Stasi, Jr.
Notary Public
LEWIS C. DI STASI, JR.
Notary Public, in the State of New York
Residing in and for Ulster County
Commission Expires March 30, 1984

On this 21st day of December, 1983, before me, the subscriber, personally appeared MICHAEL G. FINN to me personally known and known to me to be the same person described in and who executed the within Instrument, and he acknowledged to me that he executed the same.

Levius C. Di Stasi, Jr.
Notary Public
LEWIS C. DI STASI, JR.
Notary Public, in the State of New York
Residing in and for Ulster County
Commission Expires March 30, 1984

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1496 - 559

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

On this 21st day of December, 1983, before me, the subscriber, personally appeared MARIANNA FINN to me personally known and known to me to be the same person described in and who executed the within Instrument, and he acknowledged to me that he executed the same.

Lewis C. O'Strada
Notary Public

LEWIS C. O'STRADA, JR.
Notary Public, in the State of New York
Acting in and for Ulster County, NY
Commission Expires on 06-30-1985

14.00K

FILED

11455M

DEC 21 1983
11455M
ALBERT SPADA
ULSTER COUNTY CLERK

11455M
Ulster County, N.Y.
Received on the 23 day
of Dec 1983 at 11:55
o'clock A.M. Min. Libr.
of Books at page 557 and
executed
Albert Spada

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SAN Abst ✓ Int#36

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103