

Town of Marlborough Planning Board Application

Application For: (Check One)

Subdivision ☒

Lot Line (3 plus lots) ☐

Application Number:

23-1014

Date of Submission:

6/6/23

Name of Project:

Subdivision of lands of Lynn Faurie and Barbara Masterson

Location of Project:

467-474 Old Indian Road

Tax Section Block and Lot:

102.3-1-12.100

Zoning District:

RAG - 1

Number of Acres: 31.21

Sq. Footage of Building:

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

Two lot subdivision of 31.21 acre parcel.

EMAIL: not available

Name of Property Owner: Lynn Faurie and Barbara Masterson

Address of Property Owner: 561 Old Indian Road Milton, NY 12547

Telephone Number of Property Owner: 845-532-3445

Name of Applicant: same as owner

Address of Applicant:

Telephone Number of Applicant:

Name of Surveyor: Control Point Associates, Inc. - Patricia Brooks, Land Surveyor

Address of Surveyor: 11 Main Street Highland, NY 12528

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

Name of Engineer: none

Address of Engineer:

Telephone Number of Engineer

Name of Attorney: n/a

Address of Attorney:

Telephone Number of Attorney:

Reason For Application:

to received Planning Board approval for a two lot subdivision.

This subdivision will separate land on the north side of Old Indian Road from the south side of Old Indian Road.

Description of Proposal:

Proposed Lot 1, 2.33 acres includes a existing house situated on the south side of Old Indian Road

Proposed Lot 2, 28.88 acres includes existing house situated on the north side of Old Indian Road.

Lynn Faurie and Barbara Masterson

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.

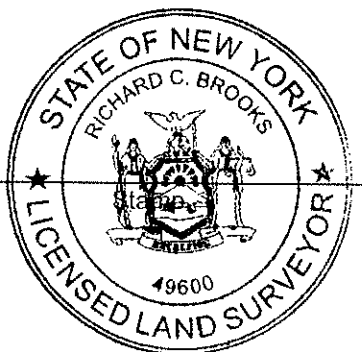
II. The following checklist items shall be incorporated on the Subdivision Plat, Site Plan, or Lot Line Revision prior to consideration of being placed on the Planning Board Agenda. Non-Submittal of the checklist will result in application rejection.

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. ☒ Flood plain boundaries
16. ☒ Federal Wetland Boundary
17. ☒ Metes and bounds of all lots
18. ☒ Name and width of adjacent streets, include dedication parcels. The road boundary is to be a minimum of 25 feet from the centerline of the paved street.
19. ☒ Show existing or proposed easements (*note restrictions*)
20. ☒ Right of way width and Rights of Access and utility placement.
21. ☒ Road profile and typical section including existing proposed grades, vertical curve data, utilities, drainage and other improvements.
22. ☒ Lot area acreage. For lots under 2 acres, list in square feet & acres.
23. ☒ Number of lots including residual lot.
24. ☒ Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 200 feet of parcel boundaries.
25. ☒ A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads.
26. ☒ Applicable note pertaining to owners review and concurrence.
27. ☒ Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. ☒ Show all existing houses, accessory structures, wells and septic systems on and within 200 feet of the parcel to be subdivided.
29. ☒ 2 Foot Contours
30. ☒ Indicate any reference to a previous subdivision, i.e., filed map number, data and previous lot number.

31. N/A 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. N/A The amount of grading expected or known to be required to bring the site to readiness.
33. N/A Estimated or known cubic yards of material to be excavated.
34. N/A Estimated or known cubic yards of fill required.
35. N/A The amount of grading expected or known to be required to bring the site to readiness.
36. N/A Type and amount of site preparation which falls within the 100 foot buffer strip of wetlands and within the Critical Environmental Area. Please explain in square feet or cubic yards.
37. N/A 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. N/A Sight distance of all intersections and driveways.
41. N/A Ridgeline and steep slope notation.
42. N/A Agricultural setbacks.
43. N/A 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: Richard C. Brooks
Licensed Professional

June 06, 2023
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

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 Bldg.
Minor Site Plan (Short Term Rental, Home Occupation, Bed & Breakfast)	\$350.00
All other Site Plans Reviews	\$550.00
Simple 2 Lot Line Revision	\$600.00
Recreation Fees (Residential Subdivision & 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 the original escrow when level drops to 25% remaining in account.)

Residential Subdivision – Single Family or Town House	\$1,500.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$1,500.00, plus \$100.00 per Unit
Commercial Subdivision	\$1,000.00 per lot (up to 4 lots) \$200.00 Per Lot Thereafter
Commercial Site Plan	\$2,000.00 Minimum
Minor Site Plan (Short Term Rental, Home Occupation, Bed & Breakfast)	\$750.00 Minimum
All other Site Plans Reviews	\$1,500.00 Minimum
Simple 2 Lot Line Revision	\$1,000.00 Minimum
Preliminary Conceptual Site Plan	\$300.00

Engineer Inspection Fees (All Town Roads Installation Inspections)

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

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, Lynn Faurie and Barbara Masterson, residing at 561 Old Indian Road Town of Marlborough, make the following statements about interests in the real property which is the subject of this application, petition or request for a 2 Lot Subdivision, 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: Lynn Faurie / Barbara Masterson
Date: 6/7/23

ACKNOWLEDGMENT

State of New York
County of:

On June 7th 2023, before me personally appeared Lynn Faurie & Barbara Masterson, 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, 2028

[Signature] 27

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): Lynn Faurie and Barbara Masterson

Applicant's Signature: 

Date: June 07, 2023

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

Letter of Agent

I (We), Lynn Faurie and Barbara Masterson am (are) the owner(s) of a parcel of land located on 467-474 Old indian Road in the Town of Marlborough, Tax Map Designation: Section 102.3 Block 1 Lot 12.100.

I (We) hereby authorize Control Point Associates, Inc. to act as my (our) agent to represent my (our) interest in applying to the Town of Marlborough Planning Board for a 2 Lot Subdivision, Site Plan, or Lot Line Revision Application. (circle one)

Lynn Faurie
Signature

6/7/23
Date

B. Masterson
Signature

6/7/23
Date

State Of New York}
County Of Ulster } SS:

On the 7th day of June in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared

Lynn Faurie; Barbara Masterson, 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.

[Signature]
Notary Public

SUZANNE DEMSKIE
Notary Public, State of New York
Reg. No. 01DE6240448
Qualified in Ulster County
Commission Expires May 02, 2028 27

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information							
Name of Action or Project: Subdivision of Lands of Lynn Faurie and Barbara L. Masterson							
Project Location (describe, and attach a location map): 467-474 Old Indian Road Town of Marlborough Ulster County SBL: 102.3-1-12.100							
Brief Description of Proposed Action: Two lot subdivision of 31.21 acres. No new construction is proposed.							
Name of Applicant or Sponsor: Control Point Associates, Inc. PC		Telephone: 845-691-7339 E-Mail: rbrooks@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? 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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;">NO</td> <td style="text-align: center; padding: 5px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;">NO</td> <td style="text-align: center; padding: 5px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? 31.21 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? <200 acres							
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): farm land <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	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

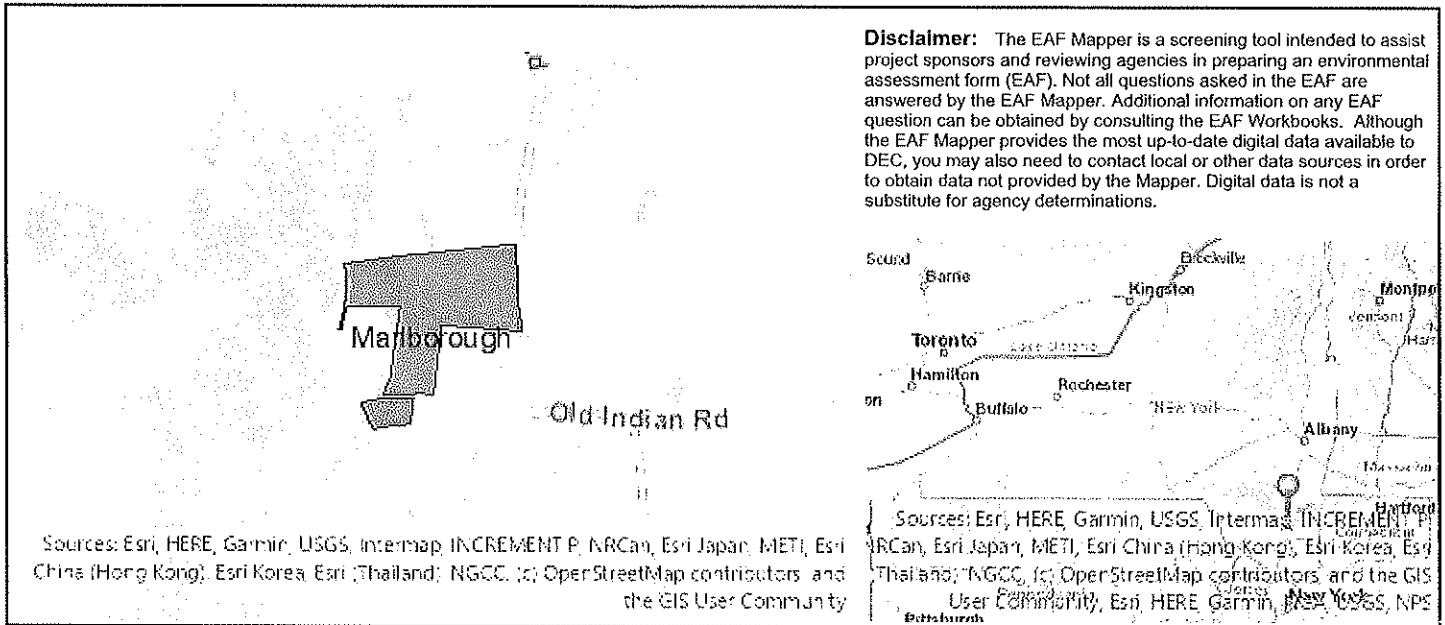
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input 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: <u>Control Point Associates, Inc. PC</u> Date: <u>June 8, 2023</u> Signature: <u><i>Pat J. Brooks</i></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] No

Part 1 / Question 12b [Archeological Sites] Yes

Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

Part 1 / Question 15 [Threatened or Endangered Animal] No

Part 1 / Question 16 [100 Year Flood Plain] No

Part 1 / Question 20 [Remediation Site] No



June 8, 2023

LETTER OF INTENT

Owner/Applicants Lynn Faurie and Barbara L. Masterson are seeking approval for a Two Lot Subdivision of their 31.21-acre parcel of land situated at 467-474 Old Indian Road, having the tax map designation of SBL: 102.3-1-12.100. The property is located in the RAG - 1 zoning district.

Proposed Lot 1 will be a 2.33 acres parcel located on the south side of Old Indian Road, containing an existing house, accessory buildings, and septic system.

Proposed Lot 2 will be a 28.88 acre parcel located on the north side of Old Indian Road, containing an existing house, barn, accessory structures, well and septic system. The well on this proposed lot 2 currently supplies water to proposed Lot 1. An easement will be put in place for the water supply to continue for as long as the existing well is in good working order.

The intent of this subdivision is separate the property and improvements located on the north side of the road from the property and improvements located on the south side of the road.

O:\Surveys\2023\12-230087-00-Faurie-NY-PPB\CORRESPONDENCE\PLANNING\6.6.23.letter of Intent.docx

**Control Point Associates, Inc. P.C. is pleased to announce the acquisition
of Brooks & Brooks Land Surveyors, P.C.**

AGRICULTURAL DATA STATEMENT

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant: Lynn Faurie and Barbara Masterson

Mailing address: 561 Old Indian Road Milton, NY 12547

B. Description of the proposed project: 2 Lot Subdivision

C. Project site address: 467-474 Old Indian Road Town: Marlborough

D. Project site tax map number: 102.3-1-12.100

E. The project is located on property:
Yes - within an Agricultural District containing a farm operation, or
Yes - with boundaries within 500 feet of a farm operation located in an Agricultural District.

F. Number of acres affected by project: 10 acres

G. Is any portion of the project site currently being farmed?
☒ Yes. If yes, how many acres 12-15 ac or square feet _____?
☒ No.

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed.

Trapani Farms LLC – 201 Mulberry Lane Milton, NY 12547 – Fruit Crop

Lynn Faurie and Barbara Masterson – 561 Old Indian Road Milton, NY 12547 – Hay Fields

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in Item H above.

~~~~~  
**FARM NOTE**

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

~~~~~  
Steven R. Pauli, CST II

~~~~~  
June 9, 2023

~~~~~  
Name and Title of Person Completing Form

~~~~~  
Date

cpa # 12-230087

Lynn Faurie and Barbara Masterson  
 adjoining owners within  
 500' of subject parcel

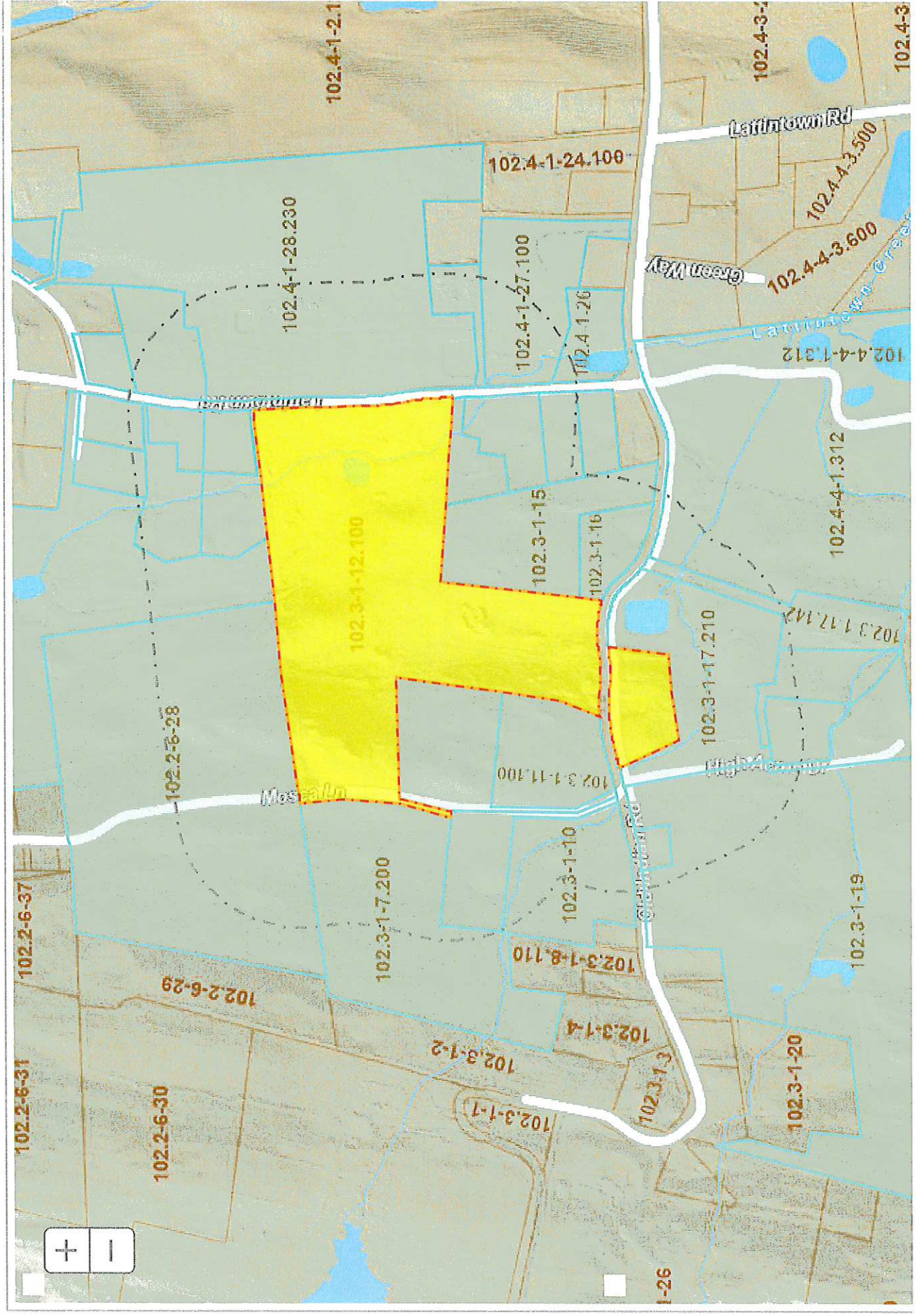
| Parcel         | Owner                        | Secondary_Owner        | Mailing_Address     | Mailing_City | _Zip  | Property_Class                 |
|----------------|------------------------------|------------------------|---------------------|--------------|-------|--------------------------------|
| 102.3-1-12.100 | Lynn Faurie                  | Barbara Masterson      | 561 Old Indian Rd   | Milton NY    | 12547 | Fruit crop                     |
| 102.3-1-17.142 | Richard J Palermo            |                        | 25 High Acres Dr    | Milton NY    | 12547 | Res vac land                   |
| 102.3-1-17.130 | Steven Lawitts               |                        | 402 10th St         | Brooklyn NY  | 11215 | 1 Family Res                   |
| 102.3-1-15     | Karl J Fred                  | Jeanne A Fred          | 448 Old Indian Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-13.110 | Andrew P & Carmela M Gattuso |                        | 707 Lattintown Road | Milton NY    | 12547 | Res Multiple                   |
| 102.3-1-13.220 | Christine Gattuso            |                        | 705 Lattintown Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-19     | H&H Property Development     |                        | 1519 Route 9W       | Marlboro NY  | 12542 | Abandoned ag                   |
| 102.3-1-40     | Oliver Mackey Jr             |                        | 491 Old Indian Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.2-6-28     | Lynn Faurie                  | Barbara Masterson      | 561 Old Indian Rd   | Milton NY    | 12547 | Fruit crop -                   |
| 102.4-1-29.200 | David J Morrissey            |                        | 253 Mulberry Ln     | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-7.200  | Jerome A Berletti            |                        | 490 Old Indian Rd   | Milton NY    | 12547 | Res vac land                   |
| 102.3-1-17.120 | Gina M Atkins                | William B Atkins III   | 505 Old Indian Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-13.210 | Michael Gattuso              | Eliana Gattuso         | 707 Lattintown Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.4-1-26     | Kelly J Aitchison            |                        | 438 Old Indian Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-16     | Stephen Rivieccio            |                        | 464 Old Indian Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.4-1-29.100 | Michael A Macchiaroli        | Kristina N Macchiaroli | 740 Lattintown Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.2-6-27.200 | Kathleen A Brown             |                        | 741 Lattintown Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.2-6-27.400 | Andrew H Nelkin              | Nilsa Nelkin           | 733 Lattintown Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.2-6-27.300 | Greystone Programs Inc       |                        | 737 Lattintown Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-11.100 | Karen L Mosca Living Trust   |                        | 480 Old Indian Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-10     | Fred Moak                    | Frederick B Moak       | 500 Old Indian Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-11.200 | Tracy A Mackey               |                        | 488 Old Indian Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-7.110  | Jerome A Berletti            |                        | 490 Old Indian Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.2-6-27.100 | Paul R Myers                 |                        | 745 Lattintown Rd   | Marlboro NY  | 12547 | 1 Family Res                   |
| 102.2-6-26.300 | Sherida P Sessa              | Luke Sessa             | 1 Gala Lane         | Milton NY    | 12547 | 1 Family Res                   |
| 102.2-6-26.400 | Glenn S Price                | Dorothy Price          | 3 Gala Ln           | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-13.120 | Peter A Gattuso              | Colleen M Gattuso      | 711 Lattintown Rd   | Milton NY    | 12547 | 1 Family Res                   |
| 102.3-1-17.141 | Richard J Palermo            |                        | 25 High Acres Dr    | Milton NY    | 12547 | 2 Family Res                   |
| 102.2-6-26.510 | Nostrano Vineyards LLC       |                        | 14 Gala Ln          | Milton NY    | 12547 | Rural res&ag                   |
| 102.4-1-28.230 | Trapani Farms LLC            |                        | 201 Mulberry Ln     | Milton NY    | 12547 | Fruit crop - Ag-Data Statement |
| 102.4-1-27.100 | Lattintown Baptist Church    |                        | 426 Lattintown Rd   | Marlboro NY  | 12542 | Religious                      |

cpa # 12-230087

Lynn Faurie and Barbara Masterson  
adjoining owners within  
500' of subject parcel

|                |                   |                |                     |           |                    |
|----------------|-------------------|----------------|---------------------|-----------|--------------------|
| 102.4-1-28.100 | Marco R. Lanzoni  | Krista Lanzoni | 698 Lattintown Rd   | Milton NY | 15247 1 Family Res |
| 102.4-4-1.312  | Weed Orchards LLC |                | 444 Old Indian Road | Milton NY | 12547 Inn/lodge    |
| 102.3-1-17.210 | Gisela Grunewald  |                | 471 Old Indian Rd   | Milton NY | 12547 Res w/Comuse |





18623167 PAGE 0228

ULSTER COUNTY CLERK'S OFFICE  
COUNTY CLERK'S RECORDING PAGE

Return To:

FRANCES FERRO, PC  
80 OLD INDIAN ROAD  
MILTON, NY 12547

MOSCA  
RONALD & ORS  
FAURIE  
LYNN & OR

|            |    |        |
|------------|----|--------|
| DEED REC   | \$ | 14.00  |
|            | \$ | .00    |
|            | \$ | .00    |
| GOV REC FE | \$ | 5.00   |
| TRANS TAX  | \$ | 960.00 |
|            | \$ | .00    |
|            | \$ | .00    |
|            | \$ | .00    |
|            | \$ | .00    |
| Total:     | \$ | 979.00 |

STATE OF NEW YORK  
ULSTER COUNTY CLERK'S OFFICE

WARNING-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

734  
Index Deed Book

Book 03167 Page 0228

No. Pages 0003

Instrument DEED

Date : 5/30/2001

Time : 10:53:47

Control # 200105300048

RPT 17 2001 005861

Employee ID LWEL

TRANSFER AMT

TRANSFER AMT \$ 240,000.00

TRANSFER TAX \$ 960.00

Deed-Executor's

THIS INDENTURE, made the 18<sup>th</sup> day of May, Two Thousand-One

**BETWEEN** Ronald Mosca, residing at Franklin Avenue (PO Box 342), Millbrook, New York 12545, *individually and as Co-Executor*, - and -  
 Jerome Berletti, residing at 490 Old Indian Road, Milton, New York 12547,  
*as Co-Executor*,

of the Last Will and Testament of John Mosca, late of the Town of Marlboro, Ulster County, New York, deceased,

parties of the first part, and

Lynn Faurie and Barbara Masterson, residing at 561 Old Indian Road, Milton, New York 12547, *as joint tenants with right of survivorship*.

parties of the second part:

**WITNESSETH**, That the parties of the first part, by virtue of the power and authority to them given in and by the said Last Will and Testament, and in consideration of TWO HUNDRED FORTY THOUSAND DOLLARS (\$240,000.00) lawful money of the United States, paid by the parties of the second part, do hereby grant and release unto the parties of the second part, their heirs, distributees and assigns forever,

**SEE ATTACHED SCHEDULE A**

**TOGETHER** with the appurtenances, and also all the estate which the said Testator had at the time of his decease, in said premises, and also the estate therein, which the parties of the first part have 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 parties of the second part, their heirs, distributees and assigns forever.

**AND** the parties of the first part covenant that they have 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 parties of the first part have hereunto set their hands and seals the day and year first above written.

IN PRESENCE OF

Ronald Mosca  
 Ronald Mosca, Individually and as  
 Co-Executor ULWT of John Mosca

Jerome Berletti  
 Jerome Berletti, as Co-Executor  
 ULWT of John Mosca

STATE OF NEW YORK )

ss.:

COUNTY OF ULSTER )

On May 18, 2001 before me, the undersigned, a Notary Public in and for said State, personally appeared Ronald Mosca and Jerome Berletti, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.

Notary Public

R &amp; R to:

Francis E. Ferro, PC  
 80 Old Indian Road  
 Milton, NY 12547

CHECKED

ENTERED

MARK/OFF

*Mosca Estate to Faurie & Masterson*

**SCHEDULE A**

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Marlborough, Ulster County, New York, and bounded and described as follows, to wit: On the south by lands of Matthew T. Wygant and Thomas D. Bloomer, and the highway leading from Lattintown westerly; on the east by the lands of Matthew T. Wygant and Thomas D. Bloomer and the lands formerly of Charles Croft, deceased; on the north by the lands formerly of Charles Croft, deceased, the lands of William Wygant and the lands of said Wygant Merritt; and on the west by the lands of John DuBois, of Matthew T. Wygant and John Wood, deceased, containing sixty-three acres, be the same more or less.

ALSO, all that certain lot of land, lying in the Town of Marlborough aforesaid, and known by the name of Denton Lot and bounded as follows:

BEGINNING at the southwest corner of a lot of land now or formerly belonging to William Wygant, conveyed to him by Peter Bernhart, in the north of lands formerly owned by Thomas Wygant; then north  $4^{\circ}$  west 14 chains and 30 links to William Wygant's line; thence south  $86^{\circ}$  west 23 chains to the northwest line of the patent of which the land is a part; thence south  $18^{\circ}$  west 15 chains 20 links to lands now or formerly belonging to Austin Merritt; thence north  $86^{\circ}$  east along said Merritt's land 28 chains 50 links to the place of beginning containing 37 acres and 17 perches of land be the same more or less.

Less any prior exceptions, reservations and prior conveyances hereto of record herein.