



CATANIA, MAHON & RIDER, PLLC

ATTORNEYS AT LAW

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(ALSO ADMITTED IN)
* Of Counsel
** Special Counsel
*** Pending Admission

Writer's Direct No.
(845) 569-4377

Writer's E-Mail
jfurst@cmrlaw.com

June 1, 2023

VIA E-MAIL (cbrand@marlboroughny.us)

& Hand Delivery

Town of Marlborough Building Department
Town Hall
21 Milton Turnpike, Suite 200
Milton, New York 12547

Attn: Chris Brand, Planning Board Chairman

RE: Eco Resort Hotel in Town of Marlborough
300-304 Willow Tree Road (SBL 102.2-5-12) (the "Property")
Our File No.: 15654-67178

Dear Chairman Brand:

We represent WTR 11, LLC (the "WTR") in its effort to obtain local land use approvals for its proposed eco resort hotel at the Property (the "Eco Resort Hotel"). We are submitting this site plan application on behalf of WTR. WTR currently owns the Property, which is approximately 50 acres and located within the Town's Rural Agricultural District (R-Ag-1).

The Eco Resort Hotel will consist of thirty (30) cabins for sleeping purposes, with each cabin being less than four (400) hundred square feet. The Eco Resort Hotel will also include a swimming pond, beach volleyball court, and a small recording studio. It will also include other, passive recreational amenities for the guests to enjoy, like numerous walking paths, gardens,

CATANIA, MAHON & RIDER, PLLC

Town of Marlborough Building Department
June 1, 2023
Page 2

growing fields and natural landscapes. Finally, there will be a main building that will serve as a lobby for the guests and contain outdoor and indoor dining areas with kitchen facilities.

Overall, the Eco Resort Hotel will be an attractive addition to the Town that fits in with the existing surroundings. The Proposal will be thoughtfully designed and will blend in with the natural environment, unlike traditional hotels. Proposed design elements include a meandering layout, significant open space, multiple ponds and screening vegetation. The Proposal will focus on privacy for guests, which in turn, means privacy for neighbors.

Please find enclosed, the following:

1. A conceptual sketch plan, prepared by Engineering & Surveying Properties, last revised May 22, 2023.
2. A completed Site Plan Application, with all required attachments, including the Site Plan checklist, Disclosure Notice, Disclaimer and Letter of Agent.
3. A completed Short Form Environmental Assessment Form.
4. An Ag Data Statement
5. A check for \$2,000, made payable to the "Town of Marlborough," for the conceptual site plan escrow.
6. A check for \$1,200, made payable to the "Town of Marlborough," for the site plan application fee.

If the Town requires anything else, please advise me at your earliest convenience. Kindly place on the Proposal the Planning Board's next meeting agenda. Your anticipated cooperation is greatly appreciated. We look forward to reviewing the concept plan with the Planning Board. Thank you.

Very truly yours,



JOHN W. FURST

JWF/jwf/2261001

Cc: Jen Flynn, Planning Board Secretary (via e-mail only at
marlboroughplanning@marlboroughny.us)
Engineering and Surveying Properties, PC
WTR 11, LLC

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

Application # 23-006

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	
Name of Project	Willow Tree Resort Hotel
Address of Project	300-304 Willow Tree Road, Milton
Tax Section, Block, and Lot Number	102.2 - 5 - 12
Zoning District	R- AG - 1
Number of Acres	50.10 Ac.
Square Footage of Each Building	390 Sq. Ft.

Reason For Application:

Site plan approval for Resort Hotel with 30 individual cabins.

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

See attached cover letter.

CONTACT INFORMATION	
Name of Property Owner	WTR 11, LLC (c/o Yves Jadot)
Address of Property Owner	34 Clarks Lane, Milton
Telephone Number of Property Owner:	
Email of Property Owner	
Name of Applicant	Same as Owner
Address of Applicant	
Telephone Number of Applicant	
Email Address of Applicant	
Name of Surveyor	Oicle Land Surveying, PC (Frank F. Oicle, LS)
Address of Surveyor	946 Rte 376, Wappingers Falls, NY
Telephone Number of Surveyor	(845) 293-0831
Email Address of Surveyor	
Name of Engineer	Engineering & Surveying Properties, PC (c/o Ross Winglovitz, PE)
Address of Engineer	71 Clinton Street, Montgomery, NY
Telephone Number of Engineer	(845) 457-7727
Email Address of Engineer	Ross@ep-pc.com
Name of Attorney	Catania, Mahon, & Rider, PLLC (c/o John Furst, Esq.)
Address of Attorney	641 Broadway, Newburgh, NY
Telephone Number of Attorney	(845) 565-1100 ext. 377
Email Address of Attorney	jfurst@cmrlaw.com
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 Previously provided	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	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 TBP	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 TBP	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 TBP	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 TBP	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 TBP	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 TBP	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 TBP	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 TBP	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 TBP	The location, type, and screening details for solid waste disposal facilities and containers is indicated. 155-31 E (4) (r).
32 TBP	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 TBP	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 TBP	Estimates of noise generation at the source and property line are provided. 155-31 E (4) (u). See also 155-31 G (16).
35 n/a	Inventory and quantity of hazardous materials anticipated for on-site storage and/or use, if applicable, are provided. 155-31 E (4) (v).
36 n/a	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	A park or open space is being provided see 155-31 E (4) (x).
38 n/a	For projects involving more than one phase, a site plan showing each phase of the project is included. 155-31 E (4) (y)

39 Y	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 N/A	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 TBP	Enforceable map notes of stormwater drainage, utility rights-of-way, etc., are indicated 155-31 E (4) (aa) [3].
43 EAF	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: _____

Licensed Professional



5/23/23

Date

**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, Yves Jadot, as a member of WTR II, LLC, residing at 34 Clarks Lane, Milton (mailing address), make the following statements about interests in the real property which is the subject of this

application, petition or request for a site plan approval and a special use permit,

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

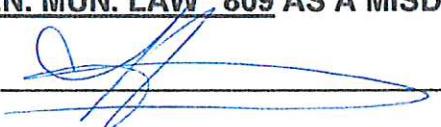
1. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application; petition or request for the subject property is an officer or employee 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 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: 

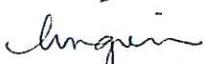
Date: 05/25/2023

ACKNOWLEDGMENT

State of New York,
County of: New York

On May 25, 2023, before me personally appeared Yves Jadot, 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



HANNAH M IRUGUIN
Notary Public, State of New York
Reg. No. 01IR6443868
Qualified in Queens County
Commission Expires November 14, 2026

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
All Other Site Plan Reviews	\$550.00
Lot Line Revision	\$600.00

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

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

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

Engineer Inspection Fees (All Town Road Installation Inspections)

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

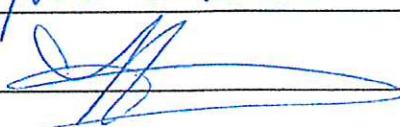
AFTER FINAL APPROVAL IS GIVEN BY THE PLANNING BOARD, THE BUILDING DEPT. MUST BE CONTACTED FOR FURTHER GUIDANCE.

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): YVES JADOT

Applicant's Signature: 

Date: 05/21/2023

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

Town of Marlborough Planning Board

Letter of Agent

I (We), WTR 11, LLC

am (are) the owner(s) of a parcel

of land located on the north side of Willow Tree Road in the Town of Marlborough,

Tax Map Designation: Section 102.2 Block 5 Lot 12.

I (We) hereby authorize Catania, Mahon & Rider, PLLC 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

05/25/2023

Signature

YVES JADOT MANAGING MEMBER

Date

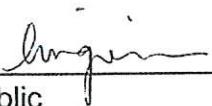
05/25/2023

State Of New York

County of New York

On the 25th day of May 2023 in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared

Yves Jaddot, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public

HANNAH M IRUGUIN
Notary Public, State of New York
Reg. No. 01IR6443868
Qualified in Queens County

13 Commission Expires November 14, 2026

Short Environmental Assessment Form

Part 1 - Project Information

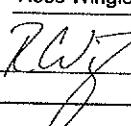
Instructions for Completing

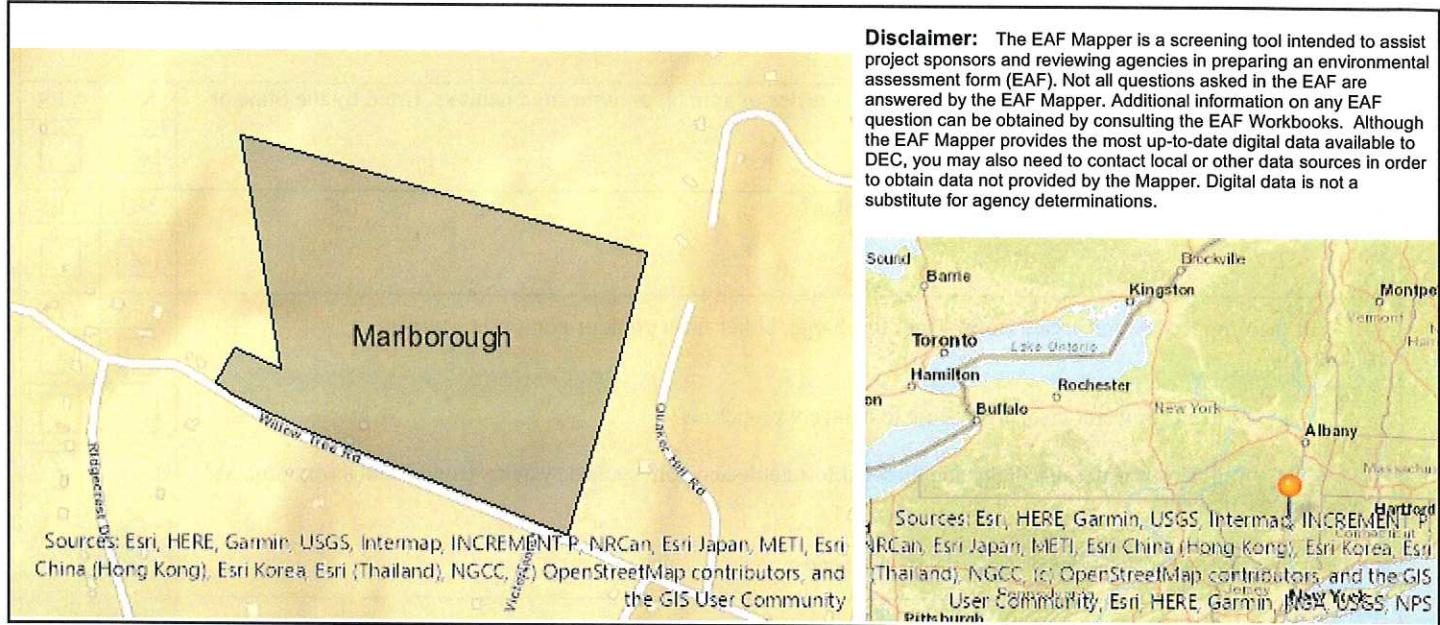
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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		
<p>Name of Action or Project: Willow Tree Resort Hotel</p> <p>Project Location (describe, and attach a location map): 300-304 Willow Tree Road, Milton NY (SBL: 102.2-5-12)</p> <p>Brief Description of Proposed Action: Resort Hotel with 30 individual cabins a central water system and community septic.</p>		
<p>Name of Applicant or Sponsor: WTR 11, LLC (c/o Yves Jadot)</p> <p>Address: 34 Clarks Lane</p> <p>City/PO: Marlborough</p>		<p>Telephone: 1-917-716-4307</p> <p>E-Mail: yves@yjrgroup.com</p>
<p>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.</p> <p>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:</p> <p>3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</p> <p>4. Check all land uses that occur on, are adjoining or near the proposed action:</p> <p>5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland</p>		<p>NO <input type="checkbox"/> YES <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>NO <input type="checkbox"/> YES <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p> <p><i>28.8 acres 50.1</i> <i>9.49 acres</i> <i>28.8 acres 50.1</i> <i>80</i></p>

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations? Special Use Required	<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: _____ Proposed on site private water system to be approved by UCHD _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Proposed on site community septic systems to be approved by NYSDEC and UCHD _____	<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: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:			
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input 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?			
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
16. Is the project site located in the 100-year flood plan?			
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,			
<input type="checkbox"/> a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: The storm water will be directed to the on site wetlands and pond			
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: Storm Water Ponds			
<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			
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:			
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
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:			
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor/name: Ross Winglovitz		Date: 05/22/23	
Signature: 		Title: Professional Engineer	



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

**Planning Department
TOWN OF MARLBOROUGH
21 Milton Turnpike
Milton, NY 12547**

AGRICULTURAL DATA STATEMENT

Project Identification No. _____

In accordance with Section 283-a of the New York State Town Law, the Town of Marlborough will use the data in this statement to assist in evaluating the impacts of proposed development projects on farm operations in or near Agricultural Use Districts.

A. Name of Applicant WTR 11, LLC
Mailing Address 641 Broadway, Newburgh, NY 12550 (attorney for applicant)

B. Description of the proposed project: Resort Hotel with 30 individual cabins.

C. Project Location: 300-304 Willow Tree Road, Milton
Tax Map Designation: Section 102.2 Block 5 Lot 12

D. Number of total acres involved with project: 9.49 (less than 1% lot coverage)

E. Number of total acres included in above tax map lot: 50.1

F. Is any portion of the subject site currently being used to produce an agricultural product?
Yes _____ No ✓ (check one)
If yes, how much? _____ acres

G. Identify the type of agricultural production being conducted on the premises.
n/a

H. If no farming is conducted on the site at this time, estimate the last year any of the site was used for agricultural production.
>15 years

I. Identify the person or entity who is farming the subject site.
n/a

J. Does this person or entity () own, or () rent the land? (check one)

K. Indicate what the intentions are for use of the remainder of the tax map lot that is not proposed to be developed.
Undisturbed vegetation, growing fields and passive recreation.

L. Who will maintain the remainder of the property not being used for this development?
The Applicant.

M. Other Project Information: Include information about the existing land cover of the site, the slopes, if any, any known impacts on existing storm water drainage (including field tiles) or other significant plant materials.
None known.

N. Make a copy of the overall (original) parcel and surrounding parcels within five-hundred (500) feet from the Town's tax maps. Identify the site of this application by placing an "X" on it. Include the tax map with this completed agricultural data statement.

O. Town Law requires that this Data Statement be mailed by the applicant to all owners of land that is farmed within five-hundred (500) feet of the boundaries of the subject parcel provided such lands are within an Ag Use District or within five-hundred (500) feet of an Ag Use District. Therefore, please list the name, address, and section, block, and lot of all such lands.

1. Mela Farms, LLC, 10 North Road, Highland NY, 12528 (mailing address)
71 Mulberry Lane, Marlboro, SBL 102.2-5-5 (property location)

2. _____

3. _____

4. _____

5. _____

6. _____

(for additional space, use reverse side)

FOR TOWN USE ONLY

Has this Agricultural Data Statement been referred to the County Planning Agency?

YES NO

If YES, give date of referral _____

If YES, give County Referral Number _____

If NO, state reason _____

Name of Official Completing Form

Date: _____

