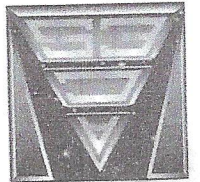


A.C.E.S.

Automated Construction Enhanced Solutions, Inc.
Professional Land Surveying • GPS Services • Engineering-Surveying & CAD Consulting



Town of Mariborough - Planning Board
21 Milton Turnpike
Milton, NY 12547

10/30/23

Attn: Chirs Brand, Chairman
PROJECT SUMMARY: Divesti

Type: Subdivision

Owner: Michael and Jennifer Divesti

Location: 6-8 Divesti Dr

Tax Parcel: 108.4-7-14

Zoning: R-1

ACES Project No: 23032DIV

Town Project Number:

PROJECT NARRATIVE

The subject parcel is located between Divesti Drive and Colleta Drive. The parcel contains 2 single family homes. The applicant proposes to divide the parcel and provide each home with its own parcel. The homes are serviced by town water, and each have their own septic system. No additional improvements are proposed in this subdivision.

Respectfully Yours,



Jonathan N. Millen, L.L.S., President

Integrity • Trust • Commitment • Excellence • Reliability • Community • Service
Boundary • Geodetic/GPS • As-Built • Construction • FEMA/Flood Map • Site Planning • Subdivision • ALTA/ASCM • Route/ROW • Landfills
1229 Route 300 - Suite 4 • Newburgh, NY 12550
Office: 845-943-7198 • Field: 914-906-8830
E-Mail: JMillenLLS@accessurveying.com Web: www://accessurveying.com

Town of Marlborough
Planning Board Application

Application For:

(Check One)

Subdivision ☒

Lot Line (3 plus lots) ☐

Application Number:

Date of Submission:

Name of Project: 2 lot subdivision of the lands of Michael J. III & Jennifer K. Diviesti

Location of Project: 6-8 Diviesti Drive

Tax Section Block and Lot: 108.4-7-14

Zoning District: R-1

Number of Acres: 2.00 Sq. Footage of Building:

Description of Project (include number of lots/units & bedrooms):
existing parcel contains 2 existing residential homes, proposed
2 lot subdivision to place each home on it own lot.

EMAIL: DiviestiMichael@yahoo.com

Name of Property Owner: Michael J. Diviesti, III & Jennifer K. Diviesti

Address of Property Owner: 6-8 Diviesti Drive

Telephone Number of Property Owner: 845-220-8345

Name of Applicant: Michael J. Diviesti

Address of Applicant: 6-8 Diviesti Drive

Telephone Number of Applicant: 845-220-8345

Name of Surveyor: Jonathan N. Millen, L.L.S.
Address of Surveyor: 1229 Route 300 - Suite 4 - Newburgh, NY 12550
Telephone Number of Surveyor: 845-943-7198

Name of Engineer:
Address of Engineer:
Telephone Number of Engineer

Name of Attorney:
Address of Attorney:
Telephone Number of Attorney:

Reason For Application:
existing parcel contains 2 existing residential homes, proposed
2 lot subdivision to place each home on it own lot.
Description of Proposal:

Michael J. Diviesti, III
Applicant's Name

CHECKLIST FOR MAJOR/MINOR SUBDIVISION, SITE PLAN and/or LOT LINE REVISION

1. 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.

11. 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. ☒

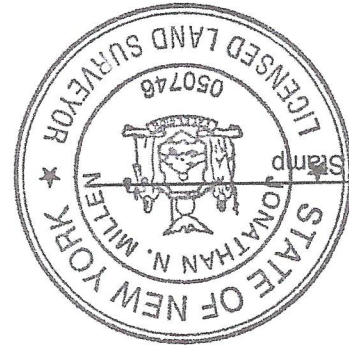
7. Show zoning boundary if any portion of proposed subdivision or site is within or adjacent to a different zone ☒

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 (<i>note restrictions</i>)
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.



By: Jonathan N. Millem
 Licensed Professional
 Date 11/8/23

The plat for the proposed subdivision, site plan, or lot line revision has been prepared in accordance with this checklist.

- | | | |
|-----|-------------------------------------|--|
| 31. | ☒ | If a private road, Town Board approval of name required, and notes on the plan that no Town services will be provided and a street sign (per Town specs) is to be furnished and installed. |
| 32. | ☒ | The amount of grading expected or known to be required to bring the site to readiness. |
| 33. | ☒ | Estimated or known cubic yards of material to be excavated. |
| 34. | ☒ | Estimated or known cubic yards of fill required. |
| 35. | ☒ | The amount of grading expected or known to be required to bring the site to readiness. |
| 36. | ☒ | Type and amount of site preparation which falls within the 100 foot buffer strip of wetlands and within the Critical Environmental Area. Please explain in square feet or cubic yards. |
| 37. | ☒ | Amount of site preparation within a 100-year flood plain or any water course on the site. Please explain in square feet or cubic yards. |
| 38. | ☒ | Planning Board approval block 4" x 2" |
| 39. | ☒ | Special district boundaries, agricultural, school, fire, water, sewer, etc. |
| 40. | ☒ | Sight distance of all intersections and driveways. |
| 41. | ☐ | Ridgeline and steep slope notation. |
| 42. | ☒ | Agricultural setbacks. |
| 43. | ☒ | After final approval is given by the Planning Board, the Building dept. needs to be contacted for further guidance. |

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, Michael J. Divieti, III, residing at 6-8 Divieti Drive, 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 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: 
Date: 11/9/23

ACKNOWLEDGMENT

State of New York
County of:

On 11/9/23, before me personally appeared Michael Diviesti, 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
Helen M. Lott

HEDWIG HELEN MLOTT
Notary Public, State of New York
No. 4991824
Qualified in Orange County
Commission Expires Feb. 10, 2026

Letter of Agent

I (We), Michael J. DiViesti, III am (are) the owner(s) of a parcel of land located on 6-8 DiViesti Drive in the Town of Marlborough, Tax Map Designation: Section 108.4 Block 7 Lot 14.

I (We) hereby authorize Jonathan N. Millen, L.L.S./ACES 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)

Signature Michael J. DiViesti, III

Signature _____

Date 11/9/23

Date _____

State Of New York }
County Of BRACKEN }
SS: _____
On the 9th day of NOVEMBER in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared

Michael DiViesti, 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.

Helen M. Mott
Notary Public

HELEN M. MOTT
Notary Public, State of New York
No. 4991824
Commission Expires Feb. 10, 2026