

Town of Marlborough
Planning Board Application

RECEIVED
11/2/23

Application For: (Check One)

Subdivision

Lot Line (3 plus lots)

Application Number:

23-1025

Date of Submission:

Name of Project: LYNN/DAVID PROPERTIES, LLC

Location of Project: INTERSECTION OF MULBERRY LINE & WILLOW TREE ROAD

Tax Section Block and Lot: 102.2-5-26 in 23

Zoning District: A-AG-1

Number of Acres: 8.8 Sq. Footage of Building: 130

Description of Project (include number of lots/units & bedrooms): A THREE LOT SUBDIVISION & LOT LINE REVISION OF A 8.84 ACRE PARCEL LOCATED IN THE SW CORNER OF THE INTERSECTION OF MULBERRY LINE & WILLOW TREE ROAD

EMAIL: CMESSINA10@AOL.COM

Name of Property Owner: LYNN/DAVID PROPERTIES, LLC

Address of Property Owner: 16 BURNING TREE DR. NEWBURGH, NY 12550

Telephone Number of Property Owner: (845) 742-7138

Name of Applicant: KEVIN HARDY

Address of Applicant: 16 BURNING TREE DR. NEWBURGH, NY 12550

Telephone Number of Applicant: (845) 742-7138

Name of Surveyor: MESSINA ASSOCIATES, CARMEN T. MESSINA, P.C., L.S.

Address of Surveyor: PO Box 10 MARLBORO, NY 12542

Telephone Number of Surveyor: (845) 473-1367

Name of Engineer: MESSINA ASSOCIATES, CARMEN T. MESSINA, P.C., L.S.

Address of Engineer: PO Box 10, MARLBORO, NY. 12542

Telephone Number of Engineer (845) 473-1367

Name of Attorney:

Address of Attorney:

Telephone Number of Attorney:

31st

Reason For Application: SUBDIVISION & LOT LINE REVISION

Description of Proposal: SEE PREVIOUS PAGE

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. NOTE NYSDEC Wetland and 100 foot buffer zone with an appropriate Certification block regarding DEC requirements.

15. NOTE Flood plain boundaries

16. NOTE 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. NOTE 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. NOTE 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. NOTE 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. TB 2 Foot Contours

30. NOTE Indicate any reference to a previous subdivision, i.e., filed map number, data and previous lot number.

31. If a private road, Town Board approval of name required, and notes on the plan that no Town services will be provided and a street sign (per Town specs) is to be furnished and installed.

32. TBD The amount of grading expected or known to be required to bring the site to readiness.

33. TBD Estimated or known cubic yards of material to be excavated.

34. TBD Estimated or known cubic yards of fill required.

35. TBD The amount of grading expected or known to be required to bring the site to readiness.

36. 100' wetlands 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. 100' watercourse 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. 100' ridgeline Ridgeline and steep slope notation.

42. Agricultural setbacks.

43. After final approval is given by the Planning Board, the Building dept. needs to be contacted for further guidance.

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

By: Caren Messer, P.C.E.
Licensed Professional

Stamp

10/30/23

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:

- The Town of Marlborough Planning Board will schedule Public Hearings during a regularly scheduled meeting after approval for the Public Hearing has been granted.
- 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/>.
- Applicants are required to send a Public Notice Letter, obtained from the Town of Marlborough Planning Board Office, via Certified Mail to property owners no less than 10 days prior to Public Hearing.
- The Town of Marlborough Planning Board Office will send notification to the Town's official newspaper.
- All Certified Mail 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: 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, Kevin Harry, residing at 16 BURLING TREE DR.
WORCESTER, MA 01650, make the following statements about interests in the real property which is the subject of this application, petition or request for a 3 LOT SUBDIVISION
8 LOT LINE REVISION, before the PLANNING BOARD
of The Town of Marlborough.

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

A. Individuals with an interest in the property.

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

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

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

C. Stockholder or controlling interest

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

D. Party to an agreement with the applicant

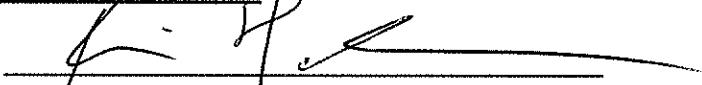
1. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application; petition or request for the subject property is an officer or employee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

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

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

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

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

Signed: 

Date: 10. 31. 2023

ACKNOWLEDGMENT

State of New York
County of: Ulster

On October 31, 2023, before me personally appeared Kevin Hardy, 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

Lindsay A Jankovitz
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01JA6368902
Qualified in Ulster County
Commission Expires December 26, 2025

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 Sq ft 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
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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):

KEY, JR. HARRY

Applicant's Signature:

Date:

10/31/23

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

Letter of Agent

I (We) KEVIN HARDY am (are) the owner(s) of a parcel of land located on Mulberry Lane & willow tree Rd in the Town of Marlborough, Tax Map Designation: Section 102.2 Block 5 Lot 26.

I (We) hereby authorize MESSENGER ASSOCIATES, CARLTON HARDY to act as my (our) agent to represent my (our) interest in applying to the Town of Marlborough Planning Board for a 3 Lot Subdivision, Site Plan, or Lot Line Revision Application. (circle one)

Signature

Date

10.31.23

Signature

Date

State Of New York
County Of Ulster } SS:

On the 31st day of October in the year 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared

Kevin Hardy, 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.

Lindsay A. Jankovitz
Notary Public

Lindsay A Jankovitz
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01JA6368902
Qualified in Ulster County
Commission Expires December 26, 2025

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:

LYNN/DAVID PROPERTIES, LLC

Project Location (describe, and attach a location map):

SEE ATTACHED LOCATION MAP

Brief Description of Proposed Action:

A THREE LOT AUBDIVISION AND A LOT LINE REVISION OF A 8.8 ACRE PARCEL LOCATED IN THE SOUTHWEST CORNER OF THE INTERSECTION OF MULBEERY LANE AND WILLOW TREE ROAD.

Name of Applicant or Sponsor:

Telephone: (845) 742-7138

KEVIN HARDY

E-Mail:

Address:

16 BURNING TREE DRIVE

City/PO:

NEWBURGH

State:

NY

Zip Code:

12550

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?

NO YES

If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

2. Does the proposed action require a permit, approval or funding from any other government Agency?

NO YES

If Yes, list agency(s) name and permit or approval: MARLBOROUGH, NY PLANNING BOARD, ULSTER COUNTY
HEALTH DEPARTMENT

3. a. Total acreage of the site of the proposed action?

8.84 acres

b. Total acreage to be physically disturbed?

< 1 acres

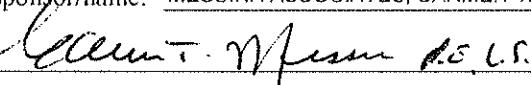
c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor?

8.84 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

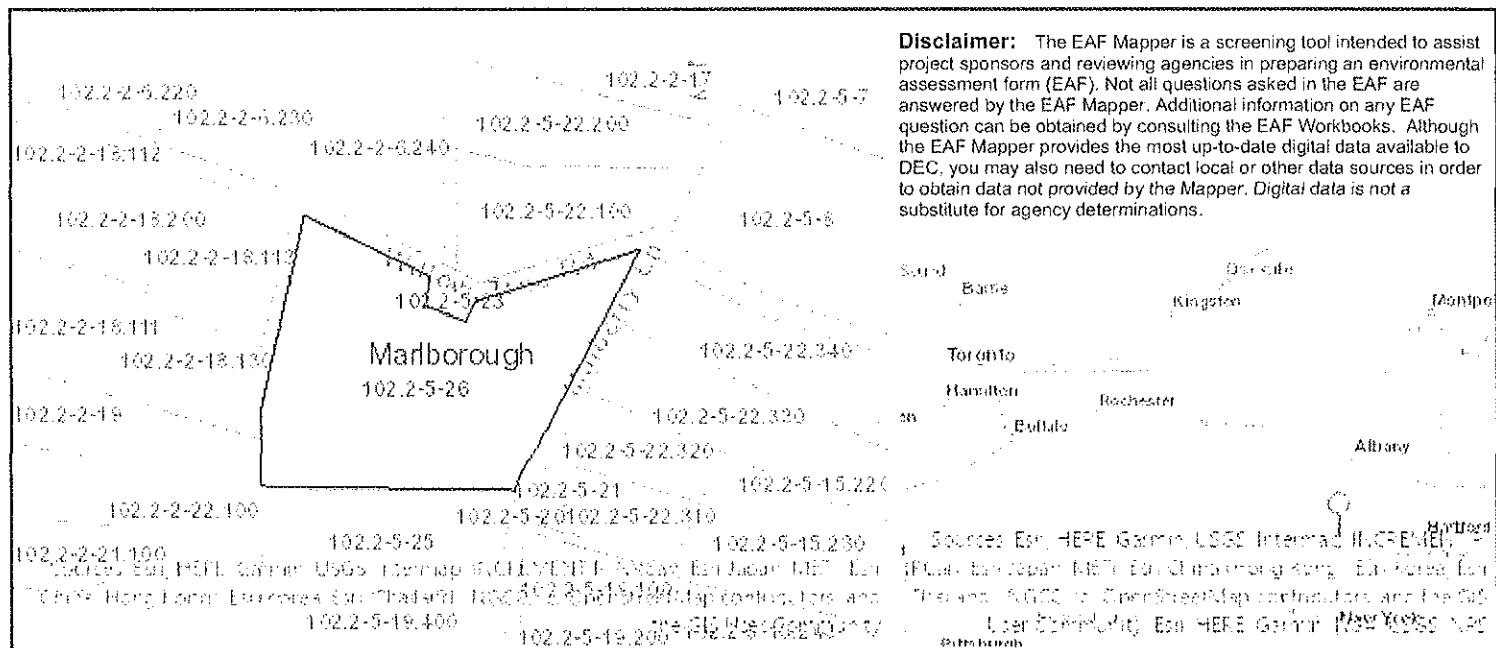
5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban)
 Forest Agriculture Aquatic Other(Specify):
 Parkland

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? If Yes, identify: _____	NO	YES	
	<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? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<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	
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 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	
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: _____			

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 checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?			
<input checked="" type="checkbox"/> <input type="checkbox"/>			
16. Is the project site located in the 100-year flood plan?			
<input checked="" type="checkbox"/> <input type="checkbox"/>			
17. Will the proposed action create storm water discharge, either from point or non-point sources?			
If Yes,			
a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe:			
<hr/> <hr/> <hr/>			
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?			
If Yes, explain the purpose and size of the impoundment:			
<hr/> <hr/> <hr/>			
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?			
If Yes, describe:			
<hr/> <hr/> <hr/>			
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?			
If Yes, describe:			
<hr/> <hr/> <hr/>			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: MESSINA ASSOCIATES, CARMEN T. MESSINA, P.E., L.S.		Date: 10/30/1923	
Signature: 		Title: PRINCIPLE	

EAF Mapper Summary Report

Monday, October 30, 2023 8:28 AM



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

4
TN
36

Record and return to:

✓ Duffy, North, Wilson, Thomas &
Nicholson, LLP
104 North York Road
Hatboro, PA 19040

QUITCLAIM DEED

Under NY Real Prop. Law § 258 (Statutory Form D)

This indenture, made the 12th day of April, 2019, between the grantor, party of the first part,

Antoniello Family Trust dated March 28, 2002
1320 Shadow Creek Lane
Warrington, PA 18976

and the grantee, party of the second part,

Matthew K. Fash, a married man
1320 Shadow Creek Lane
Warrington, PA 18976

WITNESSETH, that the party of the first part, in consideration of One Dollar (\$1.00)

lawful money of the United States, paid by the party of the second part, does hereby REMISE, RELEASE, AND QUITCLAIM unto the party of the second part and assigns forever the following premises being in the municipality of Marlborough, County of Ulster, State of New York to-wit:

See Exhibit A attached hereto

Commonly known as: 405 Willow Tree Road, Marlborough, New York

Parcel ID: 102.2-5-23

Section:

Block:

Lot:

Unit:

Source of Title:

Being the same premises which Marion Antoniello by Deed dated 3/28/2002 and recorded 6/10/2002 in the Ulster County Clerk's Office, New York, in Deed Book 3366, page 205, granted and conveyed unto the Antoniello Family Trust dated March 28, 2002.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

Exhibit A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Marlborough, Ulster County, New York, bounded and described as follows:

BEGINNING at a stake in the South line of the Willow Tree Road and in the West line of 12 foot right of way; thence along said right of way South 17 degrees West 70 feet to corner stake; thence North fifty degrees West 100 feet to corner stake; thence North 17 degrees East 70 feet to corner stake in South line of aforesaid Willow Tree Road; thence along same South 50 degrees East 100 feet to the place of beginning and containing 0.2 acre of land.

TOGETHER with use of right of way 12 feet wide along East line of said lot.

BEING COUNTY SECTION BLOCK AND LOT #102.2-5-23

3
JW
20

THIS INDENTURE, made the 6th day of February, 2020,

BETWEEN PAUL GRENON, INDIVIDUALLY AND AS EXECUTOR OF THE
ESTATE OF JAMES CATALANO, deceased, residing at
150 Willets Drive East, Red Hook, New York 12571,

party of the first part, and

LYNNDAVID PROPERTIES, LLC, a New York Limited Liability Company
with a mailing address of
16 Burning Tree Drive, Newburgh, New York 12550,

party of the second part,

WITNESSETH, that the party of the first part, by virtue of the power and authority to him given in and by the said Last Will and Testament, and in consideration of ONE HUNDRED FORTY FOUR THOUSAND AND 00/100 (\$144,000.00) DOLLARS, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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, County of Ulster and State of New York, bounded on the north and the east by the Public Highways, on the west by lands formerly of Charles S. Brown and on the south formerly by Anthony McCale and formerly of Alfred C. Jenkins, containing eight and 84/100 acres of land as surveyed by William Carpenter, surveyor, to the survey and record of which reference is hereby made.

BEING the same premises described in a deed from James Catalano and Joyce Grenon, Individually and as Executors of the Estate of Susan Catalano, to James Catalano dated February 22, 2000 and filed in the Ulster County Clerk's Office on February 23, 2000 at Liber 3016 cp 267.

James Catalano died August 10, 2018 and Letters Testamentary were granted to Paul Grenon on December 31, 2018 in the Ulster County Surrogate's Court.

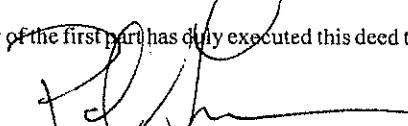
TOGETHER with the appurtenances and also the estate which the said Testator had at the time of his decease, in said premises, and also the estate therein, which the party of the first part has power to convey or dispose of, whether individually, or by virtue of said Will or otherwise,

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

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

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration 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 same for any other purpose.

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


PAUL GRENON, INDIVIDUALLY AND AS
EXECUTOR OF THE ESTATE OF JAMES CATALANO