

Town of Marlborough Planning Board Application

Application For: (Check One)

Subdivision

☒

Lot Line (3 plus lots)

☐

Application Number:

Date of Submission: 2-20-24

Name of Project: Feeney 2 Lot Sub-division

Location of Project: Plattekill Rd

Tax Section Block and Lot: 108.3-3-1.100

Zoning District: R-AG-1

Number of Acres: 14.2

Sq. Footage of Building: TBD

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

2 Lot sub-division

EMAIL: feeneyengineering@gmail.com

Name of Property Owner: David & Tracy Feeney

Address of Property Owner: 20 Alta Dr, Newburgh NY 12550

Telephone Number of Property Owner: 845-590-5543

Name of Applicant: David Feeney

Address of Applicant: 20 Alta Dr, Newburgh NY 12550

Telephone Number of Applicant: 845-590-5543

Name of Surveyor: Jonathan Millen

Address of Surveyor: 1229 Rt 300 , Newburgh NY 12550

Telephone Number of Surveyor: 845-943-7198

Name of Engineer: David Feeney

Address of Engineer: 20 Alta Dr, Newburgh NY 12550

Telephone Number of Engineer 845-590-5543

Name of Attorney: Dan Risk

Address of Attorney: Rt 9w, Marlboro NY 12542

Telephone Number of Attorney: 845-236-4411

Reason For Application: 2 Lot Sub-division

Description of Proposal:

2 lot sub-division to create 1 acre building lot. Remaining parcel to serve as building lot and remain active farm.

David Feeney

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.

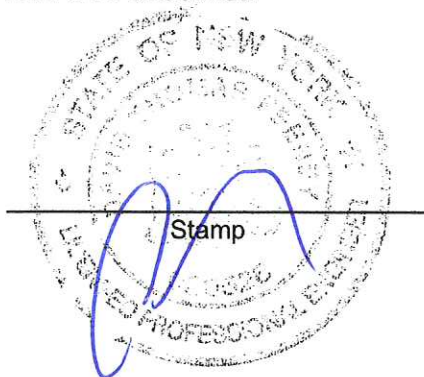
II. The following checklist items shall be incorporated on the Subdivision Plat, Site Plan, or Lot Line Revision prior to consideration of being placed on the Planning Board Agenda. Non-Submittal of the checklist will result in application rejection.

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. ☒ 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.

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



By:  _____
Licensed Professional

2.20.24
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 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 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.
6. It is recommended (not required) an aerial be provided with the Mailing Notice showing the outline of the property at a reasonable scale for residents to understand the location of the subject application. See <https://ulstercountyny.gov/maps/parcel-viewer/>.

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, David Feeney, residing at 20 Alden Newbury, make the following statements about interests in the real property which is the subject of this application, petition or request for a 2-20 SUB DIV, 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: 2-20-24 _____

ACKNOWLEDGMENT

State of New York
County of:

On 2/20/20, before me personally appeared David Feeney, 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.

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



Notary

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
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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): DAVID FEENY

Applicant's Signature: 

Date: 2-20-24

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

Letter of Agent

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

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

Signature

Date

Signature

Date

State Of New York}

County Of _____}

SS:

On the _____ day of _____ in the year _____ before me, the undersigned, a Notary Public in and for said State, personally appeared

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to 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

Short Environmental Assessment Form

Part 1 - Project Information

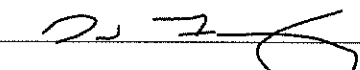
Instructions for Completing

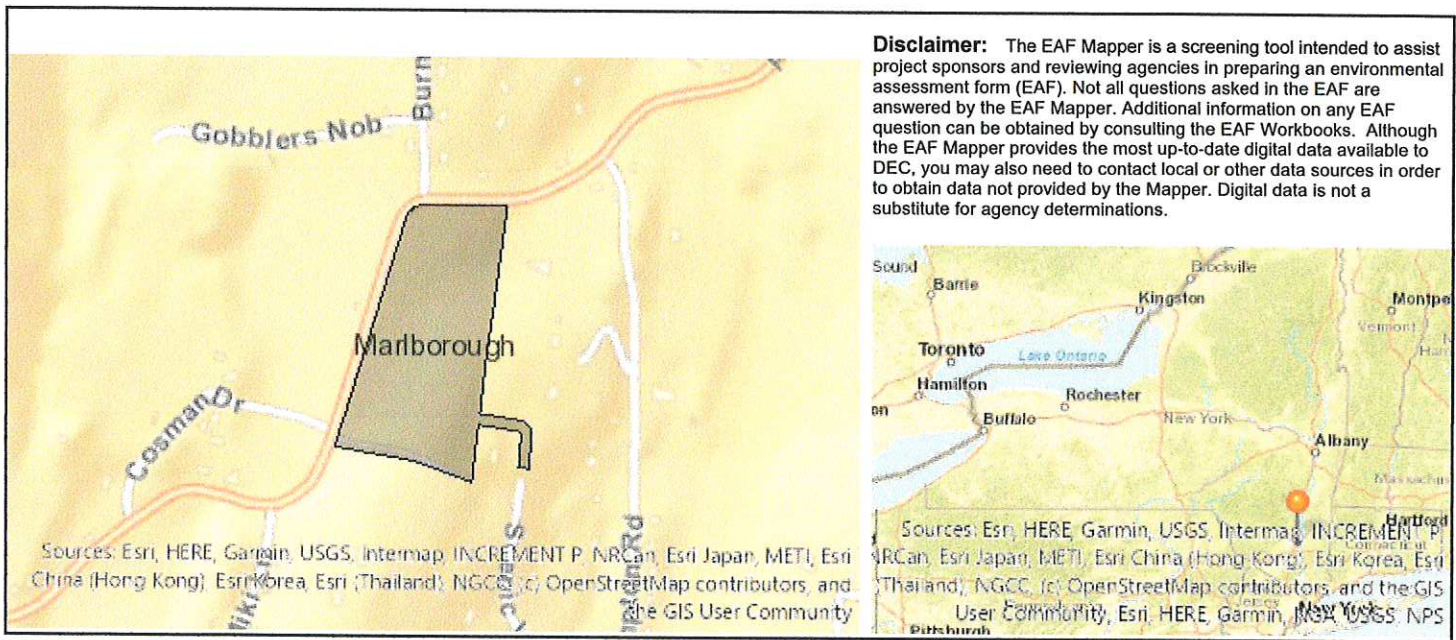
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: FEENEY SUB-DIVISION			
Project Location (describe, and attach a location map): PLATTEKILL TURNPIKE			
Brief Description of Proposed Action: 2 LOT MINOR SUB-DIVISION OF EXISTING 14.2 +/- ACRE PARCEL TO CREATE A 1 ACRE BUILDING LOT AND 13 ACRE LOT. EACH LOT TO HAVE PRIVATE WELL AND SEWAGE DISPOSAL SYSTEM.			
Name of Applicant or Sponsor: DAVID FEENEY		Telephone: 845-590-5543	
		E-Mail: FEENEYENGINEERING@GMAIL.COM	
Address: 20 ALTA DR			
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? 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.			NO <input checked="" type="checkbox"/>
			YES <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: ULSTER COUNTY HIGHWAY , ULSTER COUNTY HEALTH			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? 14.2 acres b. Total acreage to be physically disturbed? >1 acres /LOT c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 14.2 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 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			

		NO	YES	N/A
5. Is the proposed action,				
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<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: <u>PRIVATE ON SITE DISPOSAL</u> SYSTEM FOR EACH LOT		<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?		<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?		<input checked="" type="checkbox"/>	<input 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 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 type="checkbox"/>	<input checked="" 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)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
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"/>
FRESHWATER WETLAND NB-17 LOCATED ON OPPOSITE SIDE OF PLATTEKILL RD - GREATER THAN 100 FEET FROM PROPERTY		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>DAVID FEENEY</u> Date: <u>2-9-24</u>		
Signature: <u></u> Title: <u>OWNER</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]	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 David Feeney
Mailing Address 20 Alta Dr, Newburgh NY 12550

- B. Description of the proposed project: 2 lot subdivisision

- C. Project Location: Plattekill Rd
Tax Map Designation: Section 108.3 Block 3 Lot 1.100
- D. Number of total acres involved with project: 14.2
- E. Number of total acres included in above tax map lot: 14.2
- F. Is any portion of the subject site currently being used to produce an agricultural product?
Yes x No _____ (check one)

If yes, how much? 14.2 acres
- G. Identify the type of agricultural production being conducted on the premises.
Apple orchard
- 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.

- I. Identify the person or entity who is farming the subject site.
Mark Greiner
- J. Does this person or entity () own, or (x) 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. Approx 11 acres to remain apple orchard
for immediate future

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

self / Mark Greiner

- 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.

existing apple orchard - slopes 0-12%

- 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. See Attached

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: _____

Parcel	Owner	Secondary_Owner	Parcel_Address	Parcel_City	Mailing_Address	Mailing1	Mailing2	Mailing_City	Mailing_Zip	Property_Class	Acres
108.3-3-1.100	David Feeney	Tracy Feeney	Plattekill Rd	Marlboro	20 Alta Dr			Newburgh NY		12550 Fruit crop	15.6
108.3-3-4.612	Vineyard Hills Holding LLC		52 Scenic View Ln	Marlboro	9 Hayes Ct 201			Monroe NY		10950 Res vac land	1.78
108.3-3-4.612	Vineyard Hills Holding LLC		24-42 Scenic View Ln	Marlboro	9 Hayes Ct 201			Monroe NY		10950 Res vac land	5.98
108.3-3-4.670	Vineyard Hills Holding LLC		39 Scenic View Ln	Marlboro	9 Hayes Ct 201			Monroe NY		10950 Res vac land	1.81
108.3-3-4.690	Vineyard Hills Holding LLC		43 Scenic View Ln	Marlboro	9 Hayes Ct 201			Monroe NY		10950 Res vac land	1.92
108.3-3-4.611	Kenneth P Fiore	Juliana F Fiore	51 Scenic View Ln	Marlboro	51 Scenic View Ln			Marlboro NY		12542 1 Family Res	1.15
108.3-4-6.200	Edward N Dina		334 Plattekill Rd	Marlboro	330 Plattekill Rd			Marlboro NY		12542 1 Family Res	3.6
108.3-4-6.100	Edward N Dina		330 Plattekill Rd	Marlboro	330 Plattekill Rd			Marlboro NY		12542 1 Family Res	1
108.3-3-4.100	John P & Margaret C Morrissey	John P & Margaret C Morrissey	69 Hampton Rd	Marlboro	71 Hampton Rd			Marlboro NY		12542 Vac w/linprv	1.1
108.3-3-4.300	Sasha M Gier	Jolene H Rowe	65 Hampton Rd	Marlboro	65 Hampton Rd			Marlboro NY		12542 1 Family Res	1.3
108.3-3-2.120	Timothy Bewick	Debra Bewick	289 Plattekill Rd	Marlboro	289 Plattekill Rd			Marlboro NY		12542 1 Family Res	1
108.3-1-18.200	Nancy Ferris	William Ferris	5 Burma Rd	Marlboro	5 Burma Rd			Marlboro NY		12542 1 Family Res	2.2
108.3-3-2.110	Christine Mazzella	Roy Bardsley Jr	283 Plattekill Rd	Marlboro	283 Plattekill Rd			Marlboro NY		12542 1 Family Res	6.41
108.3-4-3	Ernest B Greiner		Plattekill Rd	Marlboro	263 Plattekill Rd			Marlboro NY		12542 Fruit crop	18.8
108.3-4-4	Donald L Cosman	Mary Beth Dawes	330 Plattekill Rd	Marlboro	20 Cosman Dr			Marlboro NY		12542 1 Family Res	6.26
108.3-1-18.100	Charles F Gray		262 Plattekill Rd	Marlboro	262 Plattekill Rd			Marlboro NY		12542 1 Family Res	1.16
108.3-3-4-614	Vineyard Hills Holding LLC		47 Scenic View Ln	Marlboro	9 Hayes Ct 201			Monroe NY		10950 Res vac land	1.33
108.3-3-2.212	Bryan T Barry	Amelia E Barry	4 Alma Dr	Marlboro	4 Alma Dr			Marlboro NY		12542 1 Family Res	1.42
108.3-3-2.211	Ludwig M Bach	Lauren A Bach	2 Alma Dr	Marlboro	2 Alma Dr			Marlboro NY		12542 1 Family Res	2.25
108.3-3-2.214	Maxim Motter		1 Alma Dr	Marlboro	1 Alma Dr			Marlboro NY		12542 1 Family Res	1.79
108.3-3-3.100	John P & Margaret C Morrissey	John P & Margaret C Morrissey	71 Hampton Rd	Marlboro	71 Hampton Rd			Marlboro NY		12542 1 Family Res	1.32
108.3-3-42.100	Michael J Troncilillo	Jessica L Troncilillo	18 Miki Dr	Marlboro	18 Miki Ln			Marlboro NY		12542 1 Family Res	2.07
108.3-3-42.210	Victoria Troncilillo		23-33 Miki Dr	Marlboro	33 Miki Ln			Marlboro NY		12542 Fruit crop	66.7
108.3-3-4-200	Keating Family Irrevocable Trust	Michael J & Darlene P Keating	67 Hampton Rd	Marlboro	57 Hampton Rd			Marlboro NY		12542 1 Family Res	1.3
108.3-3-2.213	Ludwig H Bach		3 Alma Dr	Marlboro	3 Alma Dr			Marlboro NY		12542 1 Family Res	1.4
108.3-3-4.690	Vineyard Hills Holding LLC		35 Scenic View Ln	Marlboro	9 Hayes Ct 201			Monroe NY		10950 Res vac land	1.43
108.3-1-42.100	Robert Petrella	Viola M Petrella	272 Plattekill Rd	Marlboro	272 Plattekill Rd			Marlboro NY		12542 1 Family Res	1.18
108.3-1-18.113	Alan B Ferguson Jr		2 Burma Rd	Marlboro	2 Burma Rd			Marlboro NY		12542 1 Family Res	1
108.3-1-18.112	Daniel Maher	Jeanne Marie Maher	4 Burma Rd	Marlboro	4 Burma Rd			Marlboro NY		12542 1 Family Res	1.01
108.3-1-18.111	The Vera Khorosh Revocable Tru	Vera Khorosh	14 Burma Rd	Marlboro	74 Hampton Rd		P.O. Box 76	Marlboro NY		12542 1 Family Res	1
108.3-2-59	John S Russo	Sandra Russo	74 Hampton Rd	Marlboro	6 Burma Rd			Marlboro NY		12542 1 Family Res	5.5
108.3-1-18.340	Frank Ritter	Vanessa Ritter	6 Burma Rd	Marlboro	252 Plattekill Rd			Marlboro NY		12542 1 Family Res	1.65
108.3-1-18.363	Ervin Melton	Jarri M Melton	252 Plattekill Rd	Marlboro	10 Burma Rd			Marlboro NY		12542 1 Family Res	1.6
108.3-1-18.350	Donald F Murray	Mercedes A Murray	10 Burma Rd	Marlboro	96 Idlewild Rd			Marlboro NY		12542 1 Family Res	1.55
108.3-1-18.122	Emerist H Greiner	Jeffrey A Greiner	Burma Rd	Marlboro	68 Prospect St			Marlboro NY		12542 Fruit crop	53.5
108.3-1-18.123	Joseph Corrado	Kimberly L Corrado	19 Burma Rd	Marlboro				Marlboro NY		12542 Fruit crop	2.51



ULSTER COUNTY – STATE OF NEW YORK
NINA POSTUPACK, COUNTY CLERK
244 FAIR STREET, KINGSTON, NEW YORK 12401

GA-23-14131-U

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 7309 / 264
INSTRUMENT #: 2024-163

Receipt#: 2024001252
Clerk: SM
Rec Date: 01/05/2024 03:07:33 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 7
Rec'd Frm: GREENACRE ABSTRACT LLC

Party1: GREINER MARK D
Party2: FEENEY DAVID
Town: MARLBOROUGH

Recording:

Cover Page	5.00
Recording Fee	45.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 Residential/Agricu	116.00
RP5217 - County	9.00

Sub Total: 200.00

Transfer Tax
Transfer Tax - State 1680.00

Sub Total: 1680.00

Total: 1880.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****

Transfer Tax #: 2404

Transfer Tax

Consideration: 420000.00

Transfer Tax - State 1680.00

Total: 1680.00

Record and Return To:

ELECTRONICALLY RECORDED BY CSC

WARNING***

*** Information may be amended during the verification process, and may not be reflected on this cover page.

THIS PAGE CONSTITUTES THE CLERK'S
ENDORSEMENT, REQUIRED BY SECTION 316-a (5)
& 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK.

Nina Postupack
Nina Postupack
Ulster County Clerk

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

FORM 8002 (short version), FORM 8007 (long version)

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made the 3rd day of January, 2024

BETWEEN Mark D. Greiner, residing at 63 Holmes Road, Newburgh, New York 12550,

party of the first part, and

David Feeney and Tracy Feeney, husband and wife, residing at 20 Alta Drive, Newburgh, NY 12550,

party of the second part;

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00) and other valuable consideration 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, State of New York, more particularly described in Schedule A attached hereto;

Being a portion of the premises conveyed ^{to} by Mark D. Greiner by deed from Mark D. Greiner, as Trustee of the Testamentary Trust for the benefit of Liselotto E. Greiner aka Liselotte M. Greiner, dated July 17, 2012, recorded July 27, 2012 in the Orange County Clerk's Office in Instrument No. 2012-11421.

NOTE: Said conveyance contains the premises herein and more.

* of David D. Greiner

GRANTOR hereby makes the following covenant and restriction which shall run with the land and bind all owners, present and future, whether or not specifically referred to in any subsequent deed to all or any portion of the property: The square footage of the house to be built on the premises shall be a minimum of 2800 square feet of living space exclusive of garage and basement.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

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

AND the 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.

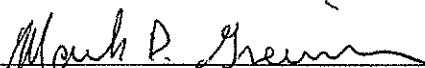
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive

S1B111 108-3-3-1100

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.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

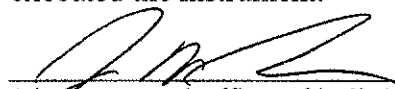
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.


By: Mark D. Greiner

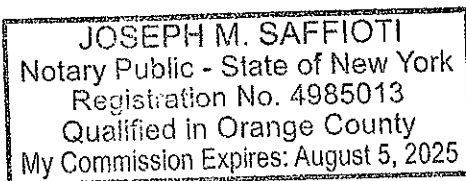
Acknowledgment by a Person Within New York State (RPL § 309-a)

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

On the 3rd day of January in the year 2024, before me, the undersigned, personally appeared **Mark D. Greiner**, 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 executed the same in his capacity(ies), and that by his signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


(signature and office of individual taking acknowledgment)

Record and Return to:
Daniel J. Rusk, Esq.
1390 Route 9W
Marlboro, NY 12542



Fidelity National Title Insurance Company

OWNER'S POLICY OF TITLE INSURANCE

SCHEDULE A

LEGAL DESCRIPTION

Title No.: GA-23-14131-U

Policy No.: Owner Policy: 2730632-231364236

REVISED DECEMBER 27, 2023

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, being bounded and described as follows:

BEGINNING at a point on the easterly right of way line of Plattekill Road (County Route 14), said point marked by a one-half inch iron rod found with embossed cap reading "ACES, Inc.", said point also being the southwesterly corner of said parcel of land and the the true point of beginning;

RUNNING THENCE along said right of way line the following seven (7) courses and distances:

- 1) North 16 degrees 51' 37" East, 965.01 feet while passing over one-half inch iron rods found at distances of 308.30 feet and 667.80 feet respectively to a point marked by a one-half inch iron rod found, all three rods found with embossed caps reading "ACES, Inc.";
- 2) Along a curve turning to the right having an arc length of 75.84 feet, a radius of 576.46 feet, a chord bearing of North 20 degrees 37' 46" East, and a chord length of 75.79 feet to a point;
- 3) Along a compound curve turning to the right having an arc length of 113.84 feet, a radius of 141.81 feet, a chord bearing of North 47 degrees 23' 42" East, and a chord length of 110.80 feet to a point;
- 4) Along a compound curve turning to the right having an arc length of 43.35 feet, a radius of 150.18 feet, a chord bearing of North 78 degrees 39' 38" East, and a chord length of 43.20 feet to a point marked by a one-half inch iron rod found with embossed cap reading "ACES, Inc.";
- 5) North 86 degrees 55' 45" East, 45.00 feet to a point;
- 6) North 89 degrees 50' 26" East, 246.35 feet to a point;
- 7) North 87 degrees 27' 42" East, 33.63 feet to a point marked by a one-half inch iron rod found;

THENCE leaving said right of way line and running along the division line between the lands now or formerly of Raymond Bianco and Mark McNamara (Liber 3349 Page 273), also known as Parcel "A" as shown on a certain map entitled, "Two Lot Subdivision, Lands of Lawrence & Carolyn Jean Caruso", filed in the Ulster County Clerk's Office on January 28, 1987 as Filed Map No. 6718 and the parcel herein described, the following course and distance: South 06 degrees 07' 53" West, 441.71 feet to a point marked by a one-half inch iron rod found;

THENCE leaving said division line and running along the division line between the lands now or formerly of Byron T. Barry and Amelia E. Barry (Liber 6829 Page 165), also known as Lot No. 2 as shown on a certain map entitled, "Proposed 4 Lot Subdivision and Lot Line Change – Bach Sketch Plat", filed in the Ulster County Clerk's Office on November 14, 2001 as Filed Map No. 12107A and the parcel herein described, the following three (3) courses and distances:

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- 1) South 06 degrees 51' 05" West, 122.21 feet to a point;
- 2) South 06 degrees 15' 07" West, 107.87 feet to a point marked by a cross-cut found on a boulder;
- 3) South 05 degrees 53' 08" West, 51.44 feet to a point;

THENCE leaving said division line and running along the division line between the lands now or formerly of Ludwig Bach (Liber 3155 Page 276), also known as Lot No. 3 as shown on said map and the parcel herein described the following two (2) courses and distances:

- 1) South 05 degrees 53' 08" West, 219.83 feet to a point marked by a one-half inch iron rod found with embossed cap reading "ACES, Inc.";
- 2) South 79 degrees 51' 29" East, 181.12 feet to a point;

THENCE leaving said division line and running along the division line between the lands now or formerly of Vineyard Hills Holding LLC (Liber 6423 Page 142), also known as Lot No. 12 as shown on a certain map entitled, "Final Map of Subdivision and Lot Line Revision of Section II Vineyard Hills", filed in the Ulster County Clerk's Office on December 20, 2004 as Filed Map No. 04-1506A, and the parcel herein described, the following two (2) courses and distances:

- 1) Along a curve turning to the right having an arc length of 112.20 feet, a radius of 75.00 feet, a chord bearing of South 37 degrees 00' 07" East, and a chord length of 102.02 feet to a point;
- 2) South 05 degrees 51' 15" West, 146.59 feet to a point on the cul-de-sac of at the northerly terminus of the right of way line for Scenic View Lane;

THENCE leaving said division line and running along said right of way line the following course: along a non-tangent curve turning to the left having an arc length of 51.28 feet, a radius of 66.00 feet, a chord bearing of North 84 degrees 32' 47" West, and a chord length of 50.00 feet to a point;

THENCE leaving said right of way line and running along the division line between the lands now or formerly of Kenneth D. Fiore and Juliana F. Fiore (Liber 5109 Page 136), also known as Lot No. 11 as shown on said Filed Map No. 04-1506A and the parcel herein described, the following four (4) courses and distances:

- 17) North 05 degrees 51' 15" East, 146.94 feet to a point;
- 18) Along a curve turning to the left having an arc length of 37.40 feet, a radius of 25.00 feet, a chord bearing of North 37 degrees 00' 07" West, and a chord length of 34.01 feet to a point;
- 19) North 79 degrees 51' 29" West, 177.40 feet to a point marked by a one-half inch iron rod found with embossed cap reading "ACES, Inc.";
- 20) South 05 degrees 53' 08" West, 273.30 feet to a point marked by a one-half inch iron rod found with embossed cap reading "ACES, Inc.";

THENCE leaving said division line and running along the division line between the lands now or formerly of Vineyard Hills Holding LLC (Liber 6423 Page 142), also known as Lot No. 10 as shown on Filed Map No. 04-1506A, and continuing along the division line between the lands now or formerly of Vineyard Hills Holding LLC, also known as Lot No. 9 as shown on said Filed Map No. 04-1506A, and the parcel herein described the following: North 67 degrees 50' 44" West, 305.24 feet to a point marked by a one-half inch iron rod found with embossed cap reading "ACES, Inc.";

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THENCE leaving said division line and running along the division line between the lands now or formerly of Victoria Troncillito (Liber 3162 Page 310), also known as Lot No. 2 as shown on a certain map entitled, "Final Map of Subdivision of lands of Victoria Troncillito", filed in the Ulster County Clerk's Office on February 26, 2003 as Filed Map No. 03-390 and the parcel herein described the following course: North 79 degrees 39' 53" West, 343.77 feet to a point on said right of way line of Plattekill Road, said point also being the point or place of BEGINNING.

For Information Only:

Said premise(s) being known as:

Plattekill Road, Marlboro, NY 12542 (Section: 108.3 Block: 3 Lot: 1.100)