

Town of Marlborough
Planning Board Application

Application For:

(Check One)

Subdivision



Lot Line (3 plus lots)



Application Number: _____

Date of Submission: July 3, 2024

Name of Project: SCHREIBER 2-LOT SUBDIVISION

Location of Project: 45 OLD INDIAN ROAD, MILTON, NY 12547

Tax Section Block and Lot: 103.3-1-40.200

Zoning District: R-AG-1 ZONE

Number of Acres: 5.80 ACRES

Sq. Footage of Building: 2,000 - 3,000 SF

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

APPLICANT PROPOSES TO SUBDIVIDE 5.80 ACRES INTO TWO SINGLE FAMILY LOTS. ONE LOT WILL HAVE EXISTING HOUSE ON IT. THE OTHER LOT WILL BE A NEW HOME.

EMAIL: NOSEKENGINEERING@HOTMAIL.COM

Name of Property Owner: DONALD SCHREIBER

Address of Property Owner: 45 OLD INDIAN ROAD, MILTON, NY 12547

Telephone Number of Property Owner: (845) 926-7790

Name of Applicant: (SAME)

Address of Applicant: _____

Telephone Number of Applicant: _____

Name of Surveyor: SPENSER HALL, LAND SURVEYOR
Address of Surveyor: 6244 ROUTE 82, STANFORDVILLE, NY 12581
Telephone Number of Surveyor: (845) 868-1262

Name of Engineer: NOSEK ENGINEERING C/O JOHN V. NOSEK, PE
Address of Engineer: 2245 ALBANY POST ROAD, WALDEN, NY 12586
Telephone Number of Engineer: (845) 926-7790

Name of Attorney: NA
Address of Attorney: _____
Telephone Number of Attorney: _____

Reason For Application: 2-LOT SUBDIVISION FOR NEW HOME

Description of Proposal: 2-LOT SUBDIVISION WITH ONE NEW HOME

Donald Schreiber
Applicant's Name



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

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



BOOK/PAGE: 6541 / 24
INSTRUMENT #: 2020-90

Receipt#: 20201750535
Clerk: SMM
Rec Date: 01/02/2020 04:23:38 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 4
Rec'd Frm: RWEM

Party1: SCHREIBER LEONARD W BY EKS
Party2: SCHREIBER DONALD W
Town: MARLBOROUGH

Recording:

| | |
|---------------------------|--------|
| Cover Page | 5.00 |
| Recording Fee | 30.00 |
| 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: 185.00

Transfer Tax
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 185.00
**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 2675
Transfer Tax
Consideration: 0.00

Total: 0.00

PQ 103.3-1-
46.200

Record and Return To:

RWEM
PO BOX 727
MARLBORO NY 12542

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

Deed-Executor's

THIS INDENTURE, made the 20 day of November Two Thousand Nineteen

BETWEEN David A. Schreiber, residing at 45 Old Indian Road, Milton, NY 12547 and Donald W. Schreiber, residing at 261 Milton Turnpike, Milton, NY 12547 as Co-Executors of the Last Will and Testament of Leonard W. Schreiber, late of the Town of Marlborough, Ulster County, New York, deceased, a/k/a Leonard Schreiber

party of the first part, and

Donald W. Schreiber, residing at 261 Milton Turnpike, Milton, NY 12547

party of the second part:

WITNESSETH, That the party of the first part, by virtue of the power and authority to them given in and by the said Last Will and Testament, and in satisfaction of the devise under paragraph FIFTH (a) of the Last Will and Testament of Leonard W. Schreiber, a/k/a Leonard Schreiber, does hereby grant and release unto the party of the second part, his heirs, distributees and assigns forever,

SEE ATTACHED SCHEDULE A

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

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, his/her heirs, distributees and assigns forever.

AND the party of the first part covenants that he/she has not done or suffered anything whereby the said premises have been encumbered in any way whatever.

That, in compliance with Sec. 13 of the Lien Law, the grantor will receive consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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 hereunto set his/her hand and seal the day and year first above written.

IN PRESENCE OF

David A. Schreiber
David A. Schreiber
Co-Executor of the Last Will and Testament
of Leonard W. Schreiber, a/k/a Leonard
Schreiber

Donald W. Schreiber
Donald W. Schreiber
Co-Executor of the Last Will and Testament
of Leonard W. Schreiber, a/k/a Leonard
Schreiber

STATE OF NEW YORK)

COUNTY OF ULSTER)

On December 20, 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared David A. Schreiber, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Daniel M. Martuscello
Notary Public

DANIEL M. MARTUSCELLO
NOTARY PUBLIC, State of New York
Qualified in Ulster County
Commission Expires Sept. 20, 22

STATE OF NEW YORK)

COUNTY OF ULSTER)

On December 20, 2019 before me, the undersigned, a Notary Public in and for said State, personally appeared Donald W. Schreiber, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Daniel M. Martuscello
Notary Public

DANIEL M. MARTUSCELLO
NOTARY PUBLIC, State of New York
Qualified in Ulster County
Commission Expires Sept. 20, 22

R/R
RWLM 727
PO Box 727
Marlboro, NY
12542

SCHEDULE A

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Southerly side of Old Indian Road at Milton, in the Town of Marlborough, Ulster County, New York and bounded and described as follows:

BEGINNING at a point on the southerly side of Old Indian Road, and said point marking the northeasterly most corner of the lands of Schreiber, said point being marked by a pipe in the center of a stone wall and running thence through the center of said stone wall South 20 degrees 43' 45" West 389.81 feet to an angle iron and thence South 22 degrees 09' 00" West 197.96 feet to an iron pipe set in said stone wall and running thence 22 degrees 75; 45" West 46.09 feet to a point; thence running through the lands of Schreiber North 79 degrees 20' 05" West 375.00 feet to a point; thence North 21 degrees 08' 15" West 467.47 feet to a point on the southerly side of Old Indian Road; thence along the southerly side of Old Indian Road the following courses and distances: North 89 degrees 52' 00" East 79.97 feet; thence North 87 degrees 23' 00" East 187.52 feet to a point; thence North 86 degrees 24' 40" East 57.30 feet; and North 84 degrees 58' 40" East 87.23 feet to the point or place of beginning.

BEING a portion of the premises as conveyed from Leonard W. Schreiber and Elva F. Schreiber to Leonard W. Schreiber and Elva F. Schreiber by deed dated the 7th day of December, 1976 and recorded in the Ulster County Clerk's Office on the 13th day of December, 1976 in Liber 1366 of Deeds at Page 005.

By this deed it is the intention to convey Lot No. 2 as shown on filed Map No. 9173 as filed in the Ulster County Clerk's Office on June 14, 1993.

BEING the same premises as conveyed by deed dated December 23, 1993 from Leonard W. Schreiber and Elva F. Schreiber to Leonard W. Schreiber and Elva F. Schreiber, said deed filed in the Ulster County Clerk's Office on the 27th day of December in Liber 2356 of Deeds at Page 95.

Elva Schreiber died a resident of the Town of Marlboro, Ulster County, New York on January 21, 2019 at the time married to Leonard Schreiber, who survived as surviving spouse and who passed away on April 7, 2019 a resident of the Town of Marlboro, Ulster County, New York and whose Will was probated in Ulster County Surrogate's Court under file #2019-333.

PROPERTY INFORMATION

C1. 9988 Code 513600
 C2. Date Deed Reported 1/2/20
 C3. Book 651 C4. Page 24



New York State Department of
Taxation and Finance
 Office of Real Property Tax Services
RP- 5217-PDF
 Real Property Transfer Report (RPTR)

1. Property Location 45 Old Indian Road
Marlborough
 2. Buyer Name Schreiber Donald W.
 3. The Selling Address Indicate where Sales Tax Bill can be sent
 4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel (Only if Part of a Parcel) Check as they apply:
 5. Deed Property Size 4.79 ACRES OR 4.79 SQUARE FEET
 6. Seller Name E/O Leonard W Schreiber aka Leonard Schreiber
Schreiber
 7. Select the description which most accurately describes the use of the property at the time of sale:
 A. One Family Residential

SALE INFORMATION

11. Sale Contract Date
 12. Date of Sale/Transfer 12/20/19
 13. Full Sale Price 0.00
 14. Indicate the value of personal property included in the sale 0.00

Check the boxes below as they apply:
 8. Ownership Type is Condominium
 9. New Construction on a Vacant Land
 10A. Property Located within an Agricultural District
 10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District
 11. Check one or more of these conditions as applicable to transfer:
☐ A. Sale Between Relatives or Former Relations
☐ B. Sale Between Related Companies or Partners in Business
☐ C. One of the Buyers is also a Seller
☒ D. Buyer or Seller is Government Agency or Lending Institution
☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)
☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)
☐ G. Significant Change in Property Between Transfer Status and Sale Date
☐ H. Sale of Business is Included in Sale Price
☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)
☐ J. None
 *Commentary on Condition:

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken (Yr) 17
 17. Total Assessed Value 250,400
 18. Property Class 210
 19. School District Name Marlboro CSD
 20. Tax Map Identifier(s) (Full Identifier) (If more than four, attach sheet with additional Identifier(s))
103.3-1-40.200

CERTIFICATION

I certify that all of the above information entered on this form is true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the criminal law relative to the making and filing of false instruments.

Donald W. Schreiber 12/20/19
Donald W. Schreiber 12/20/19
 Co-Executor
 Co-Executor

BUYER CONTACT INFORMATION

State information for the buyer. Note: If Buyer is U.S. entity, association, corporation, joint stock company, estate or individual is not an individual agent or beneficiary, then a name and contact information of an individual responsible party who can answer questions regarding the transfer must be provided. Type or print clearly.
Schreiber Donald W.
45 Old Indian Road
Hilton NY 12547
(845) 236-4411
 BUYER'S ATTORNEY
Martuscello Daniel
(845) 236-4411

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. ☒ NA 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. ☒ NA The amount of grading expected or known to be required to bring the site to readiness.
33. ☒ NA Estimated or known cubic yards of material to be excavated.
34. ☒ NA Estimated or known cubic yards of fill required.
35. ☒ NA The amount of grading expected or known to be required to bring the site to readiness.
36. ☒ NA 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. ☒ NA 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. ☒ NA Special district boundaries, agricultural, school, fire, water, sewer, etc.
40. ☒ Sight distance of all intersections and driveways.
41. ☒ NA Ridgeline and steep slope notation.
42. ☒ NA 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: _____

John V. Nosek
Licensed Professional

July 5, 2024
Date

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, DONALD SCHREIBER, residing at 45 OLD INDIAN ROAD
MILTON, MA 02547, make the following statements about interests in the
real property which is the subject of this application, petition or request for a 2-LOT
SUBDIVISION, before the PLANNING BOARD
of The Town of Marlborough.

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

A. Individuals with an interest in the property.

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

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

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

C. Stockholder or controlling interest

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

D. Party to an agreement with the applicant

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

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

NA

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: Donald Schneider

Date: July 1, 2024

ACKNOWLEDGMENT

State of New York

County of:

On 1st July 2024, before me personally appeared Donald Schneider, 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

Penny E Cashman

PENNY E CASHMAN
Notary Public, State of New York
Registration No. 01CA6372126
Qualified in Ulster County
Commission Expires March 12, 2024

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): DONALD SCHREIBER

Applicant's Signature: α Donald Schreiber

Date: α 6/30/2024

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

Letter of Agent

I (We), DONALD SCHREIBER am (are) the owner(s) of a parcel of land located on 45 OLD INDIAN ROAD in the Town of Marlborough, Tax Map Designation: Section 103.3 Block 1 Lot 40.200.

I (We) hereby authorize NOSEK ENGINEERING 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)

Donald Schreiber
Signature

7/1/2024
Date

Signature

Date

State Of New York }
County Of Ulster } SS:

On the 1st day of July in the year 2021 before me, the undersigned, a Notary Public in and for said State, personally appeared

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

[Signature]
Notary Public

MATTHEW C ROCKETT
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RO6195377
Qualified in Dutchess County
My Commission Expires 10/20/21



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.

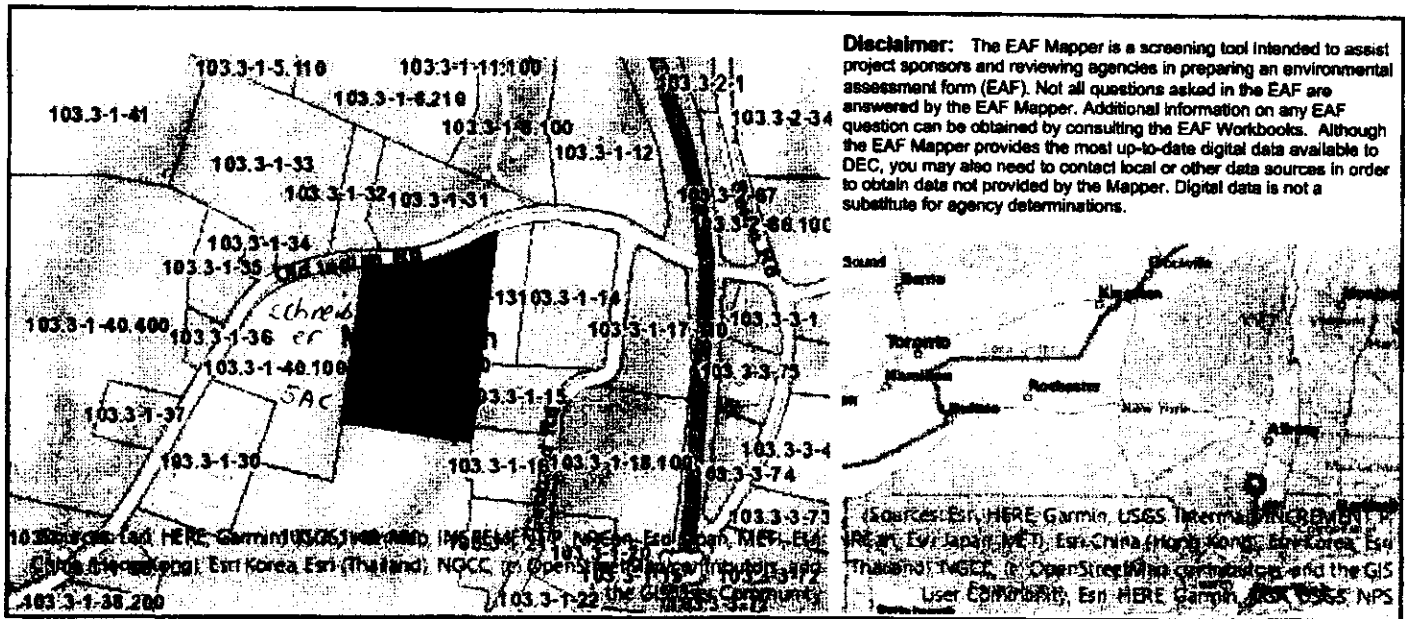
| | | | |
|---|--|-------------------------|--|
| Part 1 – Project and Sponsor Information | | | |
| Name of Action or Project: SCHREIBER 2-LOT SUBDIVISION | | | |
| Project Location (describe, and attach a location map): 45 OLD INDIAN ROAD, MILTON, NY 12547 | | | |
| Brief Description of Proposed Action: APPLICANT PROPOSES TO SUBDIVIDE 5.8 ACRES INTO TWO RESIDENTIAL LOTS. LOT 1 WILL CONTAIN EXISTING HOME AND LOT 2 WILL BE A NEW SINGLE FAMILY HOME TO BE SERVED BY A SUBSURFACE SEPTIC SYSTEM AND PUBLIC WATER SUPPLY. | | | |
| Name of Applicant or Sponsor: DONALD SCHREIBER | | Telephone: - E-Mail: | |
| Address: 45 OLD INDIAN ROAD | | | |
| City/PO: MILTON | | State: NEW YORK | Zip Code: 12547 |
| 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"/> |
| 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: TOWN OF MARLBOROUGH PLANNING BOARD | | | YES <input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | | 5.8 acres 0.5 acres 5.3 acres |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | |
| 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): - <input type="checkbox"/> Parkland | | | |

| | | | |
|---|---|---|---|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan? | NO <input type="checkbox"/> <input type="checkbox"/> | YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO <input type="checkbox"/> | YES <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 <input checked="" type="checkbox"/> | YES <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | YES <input type="checkbox"/> <input 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 <input checked="" type="checkbox"/> | YES <input type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ MARLBOROUGH PUBLIC WATER SUPPLY | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEM | NO <input checked="" type="checkbox"/> | YES <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? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | YES <input 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____ | NO <input type="checkbox"/> <input checked="" type="checkbox"/> | YES <input checked="" type="checkbox"/> <input type="checkbox"/> | |

| | | |
|--|-------------------------------------|-------------------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input 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? Atlantic Sturgeon, Shortnos... | NO | YES |
| | <input type="checkbox"/> | <input checked="" 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 |
| 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 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"/> |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>JOHN V. NOSEK, PE, NOSEK ENGINEERING</u> Date: <u>JULY 5, 2024</u> Signature: <u><i>John V. Nosek</i></u> Title: <u><i>Project Engineer</i></u> | | |

EAF Mapper Summary Report

Friday, June 28, 2024 12:53 PM



| | |
|---|---|
| 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] | Yes |
| Part 1 / Question 15 [Threatened or Endangered Animal - Name] | Atlantic Sturgeon, Shortnose Sturgeon |
| Part 1 / Question 16 [100 Year Flood Plain] | No |
| Part 1 / Question 20 [Remediation Site] | No |