

**APPLICATION OF
BRADLEY ROSEN AS TRUSTEE FOR THE BR2016 REVOCABLE TRUST FOR
TWO-LOT SUBDIVISION**

TOWN OF MARLBOROUGH PLANNING BOARD

**SEQRA NEGATIVE DECLARATION AND
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**



WHEREAS, the Town of Marlborough Planning Board has been designated as the lead agency under the State Environmental Quality Review Act (“SEQRA”) for purposes of, among other things, issuance of a determination of significance with respect to the project and set of actions identified herein below; and

WHEREAS, an application for a 2-Lot Subdivision was submitted by Bradley Rosen (the “Applicant”) as trustee of the BR2016 Revocable Trust as to real property located at 184 Plattekill Road, Marlborough, New York, in the County of Ulster and State of New York, which real property is identified as Tax Parcel No. 108.002-9-36 on the Tax Map of the Town of Marlborough (the “Property”);

WHEREAS, this determination of non-significance, i.e. negative declaration, is prepared in accordance with Article 8 of the Environmental Conservation Law: SEQRA and its implementing regulations set forth in 6 NYCRR Part 617; and

WHEREAS, the name and address of the lead agency is: Town of Marlborough Planning Board, 21 Milton Turnpike, Suite 200, P.O. Box 305, Milton, NY 12547 and the Responsible Officer is Chris Brand, Town of Marlborough Planning Board Chairman, with a telephone number at (845) 795-5100; and

WHEREAS, the Town of Marlborough Planning Board, as lead agency, has classified this Action as an unlisted action pursuant to 6 NYCRR §617.6; and

WHEREAS, the Town of Marlborough Planning Board has caused the applicant to prepare and submit a Short Environmental Assessment Form (SEAF), Part 1, and the Planning Board has provided entries for the SEAF, Part 2 and Part 3; and

WHEREAS, the Town of Marlborough Planning Board, as lead agency for the environmental review of the Action, has reviewed the Action and all relevant supporting information and documentation, has identified the relevant areas of environmental concern, has compared the reasonably expected results of the Action with the criteria set

forth in 6 NYCRR § 617.7 and has determined that there will be no potential significant environmental impacts associated with the Action;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Marlborough Planning Board makes the following findings based upon the conclusions identified above:

1. The Action will not result in a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems. One new building is to be constructed. A waiver for topography and a detailed survey on the balance parcel was granted. The Planning Board has received Applicant's Ulster County Health Department approvals for water and sewer.

2. The Action will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movements of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial impacts on a threatened or endangered species of animal or plant or the habitat of such a species or other significant adverse impacts to natural resources, except as herein described.

3. The Action does not involve the impairment of any designated critical environmental area.

4. The Action will not create a material conflict with the community's current plans or goals as officially approved or adopted.

5. The Action will not result in the impairment of the character or quality of important historical, archeological, architectural or aesthetic resources of the existing community or neighborhood character.

6. The Action will not result in a major change in the use of either the quantity or type of energy. The Applicant has represented that the proposed structure will be constructed in compliance with all applicable energy codes.

7. The Action will not create a hazard to human health.

8. The Action will not cause a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources or in its capacity to support existing uses.

9. The Action will not encourage or attract a large number of people to a place or places from more than a few days, compared to the number of people who would come to such place absent the Action.

10. The Action will not result in the creation of a material demand for other actions that would result in one of the above consequences.

11. The Action does not involve changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

12. The action does not involve two or more actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR 617.7(c).

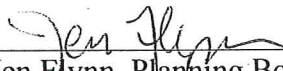
BE IT FURTHER RESOLVED, that the Town of Marlborough Planning Board has examined the reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other possible simultaneous actions and subsequent actions which may be reasonably anticipated to result from the Action, and has determined that the Action will not have any significant adverse impact on the environment and that therefore a Draft Environmental Impact Statement need not be prepared; and

BE IT FURTHER RESOLVED, that the Town of Marlborough Planning Board hereby issues this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and its implementing Regulations; and

BE IT FURTHER RESOLVED, that the Town of Marlborough Planning Board hereby authorizes the filing this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and 6 NYCRR § 617.12.

WHEREUPON the following vote was taken:

<u>MEMBER</u>	<u>YES</u>	<u>NO</u>
Chairperson Brand	<u>✓</u>	<u> </u>
Member Lanzetta	<u>✓</u>	<u> </u>
Member Lofaro	<u>✓</u>	<u> </u>
Member Callo	<u>✓</u>	<u> </u>
Member Jennison	<u>✓</u>	<u> </u>
Member LaMela	<u>✓</u>	<u> </u>
Member Troncillito	<u>✓</u>	<u> </u>


Jen Flynn, Planning Board Secretary

Dated: Milton, New York
April 7, 2025

Contact Person:
Jen Flynn, Planning Board Secretary
Town of Marlborough
21 Milton Turnpike, Suite 200
P.O. Box 305
Milton, NY 12547
845-795-5100

**APPLICATION OF BRADLEY ROSEN
AS TRUSTEE FOR THE BR2016 REVOCABLE TRUST
FOR A TWO LOT SUBDIVISION**



**RESOLUTION OF APPROVAL
BY THE TOWN OF MARLBOROUGH PLANNING BOARD**

April 7, 2025

WHEREAS, Bradley Rosen (the “Applicant”) as Trustee for the BR2016 Revocable Trust has submitted an application for a 2-Lot Subdivision of real property located at 184 Plattekill Rd. in the Town of Marlborough, County of Ulster and State of New York, which real property is described in that certain deed dated June 25, 2021 made by Barbara L. Gilmore and recorded in the Ulster County Clerk’s Office in Instrument # 2021-14706 and identified as Section 108.2, Block 9, Lot 36 on the Tax Map of the Town of Marlborough (the “Property”)

WHEREAS, a map entitled “Map of Subdivision of Lands of The BR2016 Revocable Trust” prepared by Patricia Pauli Brooks, L.S., dated April 15, 2024 and bearing the last revision date of February 3, 2025 has been submitted (the “Map”); and

WHEREAS, the Planning Board granted a waiver of a detailed survey and topography on the 45.1-acre balance parcel pursuant to Town of Marlborough Code §134-24(A); and

WHEREAS, a referral to the Ulster County Planning Board was not required; and

WHEREAS, Ulster County Health Department approvals for water and sewer have been received by the Planning Board; and

WHEREAS, the Planning Board held a duly noticed public hearing on March 3, 2025; and

WHEREAS, the 2-Lot Subdivision as shown on the Map meets all codes and regulations regarding set-backs, lot sizes, road and driveway configurations and other applicable regulations, codes and laws; and

WHEREAS, the Applicant prepared and submitted a Short Environmental Assessment Form (“SEAF”) Part 1 and the Planning Board has caused to be prepared SEAF Parts 2 and 3; and

WHEREAS, the Planning Board issued a Negative Declaration pursuant to the State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board of the Town of Marlborough approves the proposed 2-Lot Subdivision and authorizes the Chairman of the Planning Board to carryout appropriate completion of the 2-Lot Subdivision process upon the following conditions:

- a) Payment of all municipal fees and consultant expenses of the Planning Board.

- b) Payment of recreation fees in accordance with § 134-30 of the Town Code.

WHEREUPON the following vote was taken:

<u>MEMBER</u>	<u>YES</u>	<u>NO</u>
Chairperson Brand	<u>✓</u>	<u> </u>
Member Lanzetta	<u>✓</u>	<u> </u>
Member Lofaro	<u>✓</u>	<u> </u>
Member Callo	<u>✓</u>	<u> </u>
Member Jennison	<u>✓</u>	<u> </u>
Member LaMela	<u>✓</u>	<u> </u>
Member Troncillito	<u>✓</u>	<u> </u>


Jen Flynn, Planning Board Secretary

Dated: Milton, New York
April 7, 2025

**SUBDIVISION RECREATION FEE FINDINGS
TOWN OF MARLBOROUGH PLANNING BOARD**



WHEREAS, the Planning Board has reviewed a subdivision application known as
Bradley Rosen with respect to real property located at
184 Plattekill Rd in the Town of Marlborough;

Member _____ offered the following resolution, which was
seconded by Member _____:

IT IS HEREBY RESOLVED that the Planning Board makes the following finds pursuant to
Section 277(4) of the Town Law:

Based on the present and anticipated future need for park and recreational opportunities in the
Town of Marlborough, and to which the future population of this subdivision will contribute,
parklands should be created as a condition of approval of this subdivision

However, a suitable park of adequate size to meet the above requirement cannot be properly
located within the proposed project site.

Accordingly, it is appropriate that, in lieu of providing parkland, the project sponsor(s) render to
the Town payment of a recreation fee to be determined in accordance with the prevailing
schedule established for that purposed by the Town of Marlborough.

This approved subdivision known as Bradley Rosen
Resulted in 1 lots for a total of \$ 2,000.00 in Recreation Fees.

WHEREUPON, the following vote was taken:

Chairman Brand	<u>✓</u>
Member Callo	<u>/</u>
Member LaMela	<u>✓</u>
Member Jennison	<u>✓</u>
Member Lanzetta	<u>✓</u>
Member Lofaro	<u>✓</u>
Member Troncillito	<u>✓</u>

Dated: Marlborough, New York; 4/1/25, 20__

Jen Flynn, Planning Board Secretary Jen Flynn

