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May 4, 2020

Town of Marlborough Planning Board
21 Milton Turnpike
Milton, NY 12547

ATTN: Chris Brand, Chairman

**RE: APPLICATION #2020-02
50 MILL HOUSE ROAD
TAX LOT # 108.004-5-20.21**

Dear Mr. Brand:

Please find attached 12 copies of the revised plan set for the above referenced project. The plans have been revised in accordance with a review comment letter prepared by the Ulster County Planning Department dated April 1, 2020 and a comment letter from McGoey, Hauser and Edsall Consulting Engineers, D.P.C. dated 17 April 2020. Below is a comment by comment response to each comment letter:

Ulster County Planning Recommendations:

Ulster County Health Department Review

An application was made to the Ulster County Department of Health on February 27, 2020 for Realty Subdivision approval which is currently under review for the approval of the proposed well and septic systems located on Lots 1 & 4. It should be noted that the proposed well on Lot 4 is located a distance greater than 200' away from the existing subsurface septic system on Lot 3. In addition, the existing driveway for Lot 3 provides a natural surface break in drainage patterns from the developed area of Lot 3 and the proposed area of Lot 4 therefore any speculative failure of the septic on Lot 4 will not impact the proposed improvements of Lot 4.

Archaeology Survey

In accordance with SEQR requirements a Phase 1A & 1B archaeology survey was completed for the project. The report has been submitted to New York State Historic Preservation Office for their review. In addition, below is the conclusion and recommendations directly from the report (copy attached).

The Phase 1A had determined that based upon topographic characteristics and proximity to prehistoric sites, the property was assessed as having an above average potential for encountering prehistoric sites. Based upon topographic characteristics and proximity to historic sites, historic map documented structures and roads, the property was assessed as having a higher than average potential for encountering historic sites.

During the course of the Phase IB archaeological field survey, 65 ST's were excavated. No prehistoric artifacts or features were encountered. No historic artifacts or features were encountered. No further work is recommended.

Driveway – Advisory Comment

In accordance with additional comments received from the Town Engineer and planning board members, the proposed driveway for Lot 4 has been combined with the existing driveway of Lot 3 and a common access easement has been shown on the plan and will be filed with the Ulster County Clerk's office.

McGoey, Hauser & Edsall

1. As stated above, an application was made to the Ulster County Department of Health on February 27, 2020 for Realty Subdivision approval which is currently under review for the approval of the proposed well and septic systems located on Lots 1 & 4. In addition, joint soil testing was originally scheduled for March 19, 2020, however due to the ongoing COVID-19 pandemic, the UCHD advised that although they would be unable to be present that the soil testing consisting of test-pits should still be performed and submit photos along with the standard documentation paperwork for their review.
2. An environmental subconsultant, Peter Torgersen, prepared a letter (copy attached) regarding the potential impact on the Bald Eagle. The letter was electronically submitted to the NYSDEC on April 17, 2020 and a response has not been received to date.
3. As stated above, a Phase 1A & 1B archaeology survey was completed for the project with a recommendation of no further studies. The report has been submitted to New York State Historic Preservation Office for their review.
4. A copy of the plans was e-mailed and hard copy of this submission has been sent to the Highway Superintendent for his comments.
5. A response to the Ulster County Planning Comments are above. A copy of the response to the Town of Newburgh, including responses to Orange County Planning comments are attached.
6. No response required.
7. The following note has been added to the plans regarding the requirement of covenants to be filed for Lots 2, 3 & 4 in both Ulster and Orange County Clerk's Office.

Lots 2, 3 & 4 (although considered as single lots for building purposes) encompass separate tax lots in the Town of Marlborough and the Town of Newburgh. Restrictive covenants shall be filed with the County of Ulster and county of Orange Clerks' offices ensuring that individual tax lots cannot not be sold, transferred, or foreclosed on separately.

If you have any additional questions and/or comments, please don't hesitate to contact this office.

Sincerely,
Engineering & Surveying Properties, PC



Jay Samuelson, P.E.
Principal

encl.

cc: David & Susan Young
Patrick Hines, MHE
Town of Newburgh Planning Board