

# Town of Marlborough Planning Board Application

**Application For:** (Check One)

**Subdivision**  **Site Plan**  **Lot Line Revision**

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Application Number: 215211

Date of Submission: \_\_\_\_\_

Name of Project: Subdivision of lands of Summit Drive Properties LLC

Location of Project: Easterly terminus of Summit Drive

Tax Section Block and Lot: 108.4-6-29.311

Zoning District: R (Residential)

Number of Acres: 7.323 ac. Sq. Footage of Building: \_\_\_\_\_

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

Subdivision of 7.323 acres into 8 lots (8 units with 4 bedrooms ea. = 32 bedrooms) with an approximately  
350' extension from the existing cul-de-sac of Summit Drive to a new cul-de-sac. Lots to be serviced by  
municipal water and sewer, underground gas and electric.

EMAIL: ng12547@gmail.com

Name of Property Owner: Summit Drive Properties LLC

Address of Property Owner: 3121 Route 9W New Windsor, NY 12553

Telephone Number of Property Owner: 845-670-4656 contact person: Nick Gallela

Name of Applicant: same as owner

Address of Applicant: same as owner

Telephone Number of Applicant: same as owner

Name of Surveyor: Gary Rich, LLS

Address of Surveyor: 24 Lang Drive Pine Bush, NY 12566

Telephone Number of Surveyor: 845-744-5720

Name of Engineer: A. Diachishin and Associates, P.C. contact: Robert James, P.E.

Address of Engineer: 115 Yankee Folly Road New Paltz, N.Y. 12561

Telephone Number of Engineer 914-466-4398

Name of Attorney: Todd Kelson, Esq.

Address of Attorney: 542 Union Avenue New Windsor, NY 12553

Telephone Number of Attorney: 845-567-3010

Reason For Application: Land Subdivision

Description of Proposal:

Subdivision of 7.323 acres of land into 8 lots with 350' extension of Summit Drive. Lots to be served by municipal water and sewer.

Applicant's Name

**TOWN OF MARLBOROUGH**  
**PO Box 305 Milton NY 12547**  
“ Heart Of the Hudson Valley Fruit Section”  
MILTON, ULSTER COUNTY, NEW YORK 12547  
DEPARTMENT OF BUILDINGS

**TEL NO. 795-2406**  
**FAX NO. 795-2031**

**THOMAS CORCORAN JR.**  
BUILDING INSPECTOR  
CODE ENFORCER  
FIRE INSPECTOR

**Date: April 16, 2021**

**Re: Summit Drive - 8 Lot Subdivision**

**S.B.L. : 108.4-6-29.311**

**This letter is to verify that the building department has reviewed the Planning Board application and has concluded :**

    XX     : **The application can be presented to the Town of Marlborough Planning Board for its review.**

           : **The application is rejected for the following reasons :**

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**Thank You.**



**Thomas J. Corcoran Jr.**  
**Building Inspector**  
**Code Enforcement Officer**

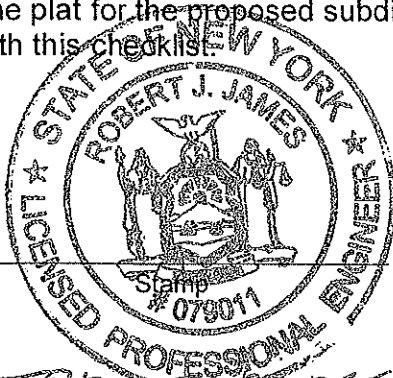
## CHECKLIST FOR MAJOR/MINOR SUBDIVISION, SITE PLAN and/or LOT LINE REVISION

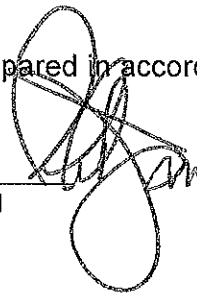
- I. The following items shall be submitted for a COMPLETED Planning Board Application Form.
1. ✓ Completed Application
  2. ✓ Environmental Assessment Form (*May be obtained from Planning Board*)
  3. ✓ Letter of Agent Statement
  4. ✓ Application Fee (*Separate check from escrow fee*)
  5. ✓ Escrow Fee (*Separate check from application fee*)
  6. ✓ Copy of deed
  7. ✓ Completed checklist (*Automatic rejection of application without checklist*)
  8. NA 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. TBD Zoning table showing what is required in the particular zone and what applicant is proposing.
  7. NA 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. TBD Surveyor's Certification
12. TBD Surveyor's seal and signature
13. ✓ Name, SBL and acreage of adjoining owners
14. NA NYSDEC Wetland and 100 foot buffer zone with an appropriate Certification block regarding DEC requirements.
15. NA Flood plain boundaries
16. NA Federal Wetland Boundary
17. TBD 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. TBD Show existing or proposed easements (*note restrictions*)
20. TBD Right of way width and Rights of Access and utility placement.
21. TBD 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. NA 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. TBD The amount of grading expected or known to be required to bring the site to readiness.
- 33. TBD Estimated or known cubic yards of material to be excavated.
- 34. TBD Estimated or known cubic yards of fill required.
- 35. TBD The amount of grading expected or known to be required to bring the site to readiness.
- 36. 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. TBD Sight distance of all intersections and driveways.
- 41. TBD Ridgeline and steep slope notation.
- 42. NA Agricultural setbacks.
- 43. TBD 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: ROBERT JAMES   
 Licensed Professional  
3/25/21  
 Date

TBD = TO BE DETERMINED/REVISED UNDER SUBSEQUENT REVIEWS.

## Legal Notices for Public Hearing

Public Hearings will be held only on the first (1<sup>st</sup>) Monday of the Month.

### ***Procedure for Notice:***

1. Planning Board will schedule Public Hearing during a regularly scheduled meeting, after approval for such is granted.
2. Applicant is to obtain surrounding property owner names and addresses from Assessor's Office.
3. Applicant is to send Public Notice Letter, obtained from Planning Board Office, via Certified Mail with Return Receipt to property owners no less than 10 days prior to Public Hearing.
4. Planning Board Office will send notification to the town's official newspaper.
5. All Certified Mail with Return Receipt receipts and a copy of the Assessor's listing of names and addresses must be submitted at Public Hearing.

***Any questions regarding procedures may be answered at 845-795-5243.***

# 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, Nicholas Gurbala, residing at 17 Sunnyside Dr. Wilton, NY 12597, make the following statements about interests in the real property which is the subject of this application, petition or request for a Subdivision of the Town of Marlborough, 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:

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**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 1/809 AS A MISDEMEANOR.**

Signed: 

Date: 3/26/21

**ACKNOWLEDGMENT**

State of New York  
County of:

On March 26, 2021, before me personally appeared Nicholas Galella, 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  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CA6372126  
Qualified in Ulster County  
Commission Expires March 12, 2022

# Planning Board Fees

*(All Applications Subject To Escrow Fees)*

## **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 Building
All Other Site Plan Reviews	\$550.00
Lot Line Revision	\$600.00
Recreation Fees <i>(Residential Subdivisions &amp; Site Plans – Excludes parent parcel)</i>	\$2,000.00 per Lot or Unit
Recreation Fees Adult Multiple Dwelling Affordable Housing <i>(50 and over)</i>	\$500.00 per Unit

## **Escrow Deposit:** *(To be replenished to 75% of original escrow when level drops to 25% remaining in account.)*

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 per Lot (up to 4 lots,) then \$200.00 per Lot Thereafter
Commercial Site Plan	\$1,000.00 Minimum
All Other Site Plans	\$750.00 Minimum
Lot Line Revision	\$600.00 Minimum

## **Engineer Inspection Fees (All Town Road 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.

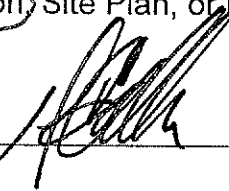
Applicant's Name(Print): Nicole Salento  
Applicant's Signature: [Handwritten Signature]  
Date: 3/16/21

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

# Letter of Agent

I (We), Nick Gallela of Summit Drive Properties LLC am (are) the owner(s) of a parcel of land located on esterly terminus of Summit Drive in the Town of Marlborough, Tax Map Designation: Section 108.4 Block 6 Lot 29.31.

I (We) hereby authorize Robert James, P.E. to act as my (our) agent to represent my (our) interest in applying to the Town of Marlborough Planning Board for a 8 Lot Subdivision, Site Plan, or Lot Line Revision Application. (circle one)

Signature 

Date 3/26/21

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

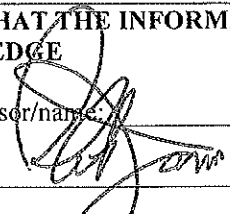
### Instructions for Completing

**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.

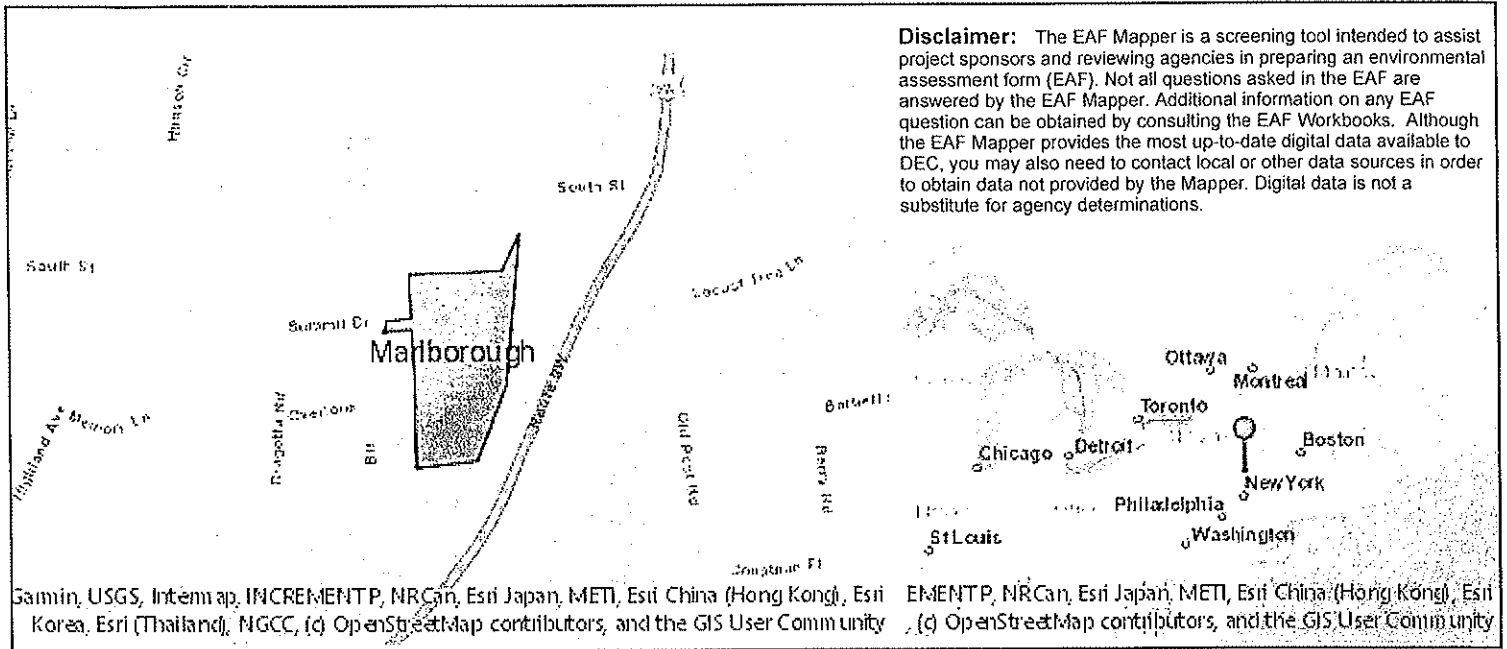
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Subdivision of lands of Summit Drive Properties LLC			
Project Location (describe, and attach a location map): Easterly terminus of Summit Drive in the Town of Marlborough			
Brief Description of Proposed Action: This project is an 8 lot subdivision of a 7.323 acre parcel at the easterly terminus of Summit Drive in the Town of Marlborough, Ulster County. The project is in the "R" zone with a minimum lot size of 10,000 s.f. with water and sewer. The tax map number is 108.4-6-29.311. The proposed lots will be served by municipal water and sewer as well as underground gas and electric. There will be an extension of Summit Drive (about 350') from the existing cul-de-sac to a new cul-de-sac. Lot sizes range from about 15,000 s.f. up to 74,000 s.f.			
Name of Applicant or Sponsor: Sponsor: A. Diachishin and Associates, P.C. contact: Robert James, P.E.		Telephone: 914-466-4398 E-Mail: adapc@bestweb.net	
Address: 115 Yankee Folly Road			
City/PO: New Paltz		State: NY	Zip Code: 12561
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 type="checkbox"/>	YES <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		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		7.323 acres	
b. Total acreage to be physically disturbed?		4.5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		7.323 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 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? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input 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 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?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" 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)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<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?	NO	YES
If Yes, describe: _____ _____	<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?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor/name: _____ Sponsor: A. Diachishin and Associates, P.C.    Date: March 25, 2021 Signature:  _____ Title: Project Engineer		





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]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
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

Ulster County  
Nina Postupack  
County Clerk  
Kingston, NY 12401



Volm-6224 Pg-160

Instrument Number: 2017- 00015478

Recorded On: October 23, 2017 As  
D01 - Deed

Parties: N&A DEVELOPMENT CORP  
To  
SUMMIT DRIVE PROPERTIES LLC

Billable Pages: 5

Recorded By: TODD A KELSON PC

Num Of Pages: 5

Comment:

**\*\* Examined and Charged as Follows: \*\***

D01 - Deed	65.00	RP5217-250	250.00	Tax Affidavit TP 584	5.00
Recording Charge:	320.00				
	Amount	Consideration Amount	RS#/CS#		
Tax-Transfer	0.00	0.00	1533	Basic	0.00
MARLBOROUGH				Local	0.00
				Additional	0.00
Tax Charge:	0.00			Special Additional	0.00
				Transfer	0.00

**\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\***

I hereby certify that the within and foregoing was recorded in the Clerk's Office For: Ulster County,

**File Information:**

**Record and Return To:**

Document Number: 2017- 00015478  
Receipt Number: 1604440  
Recorded Date/Time: October 23, 2017 02:37:00P  
Book-Vol/Pg: Bk-D VI-6224 Pg-160  
Cashier / Station: s smar / Cashier Station 6

TODD A KELSON PC  
542 UNION AVENUE  
NEW WINDSOR NY 12553



Nina Postupack Ulster County Clerk

5  
72  
36

Standard N.Y.B.T.U. Form 8007

Bargain & sale deed, with covenant against grantor's acts - Ind. or Corp.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS  
INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 12th day of October, Two Thousand Seventeen

**BETWEEN**

N & A DEVELOPMENT, CORPORATION, having offices at 3121 Route 9W, New Windsor,  
NY 12553

party of the first part, and

SUMMIT DRIVE PROPERTIES LLC, having offices at 3121 Route 9W, New Windsor, NY  
12553

party of the second part,

**WITNESSETH**, that the party of the first part, in consideration of TEN and 00/100 (\$10.00) dollars,

lawful money of the United States, and other good and 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** lot, piece or parcel of land situate and being in the Town of Marlborough, Ulster County, New York being more particularly bounded and described in Schedule "A" annexed hereto and made a part hereof.

**THIS** transfer is made in the normal course of business and does not constitute all or substantially all of the assets of the party of the first part.

**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 incumbered 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 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

CHECKED  
ENTERED

SM  
SM



September 9, 2015

**Description of Property for  
N & A DEVELOPMENT CORP.  
LOT 3A**

**All that plot, piece, or parcel of land situate, lying and being in the Town of Marlborough, Ulster County, New York, bounded and described as follows:**

**Beginning at a point on the easterly side of Summit Drive, said point being in the division line between tax map section 108.4-6-21.5 on the north and tax map section 108.4-6-21.6 on the south, and running; thence**

- 1. Along tax map section 108.4-6-21.5, S. 84°-13'-34" E. 106.91' to a point; thence**
- 2. Continuing along tax map section 108.4-6-21.5, N. 05°-46'-26" E. 183.16' to a point in tax map section 108.4-6-29.11; thence**
- 3. Along tax map section 108.4-6-29.11, S. 85°-00'-28" E. 394.56' to a point in tax map section 108.4-6-29.22; thence**
- 4. Along tax map section 108.4-6-29.22, N. 33°-16'-17" E. 184.78' to a point on the westerly side of Grand Street Extension; thence**
- 5. Along the westerly side of Grand Street Extension, along tax map section 108.4-6-30, and along tax map section 108.4-6-31, S. 13°-39'-45" W. 594.92' to a point in tax map section 108.4-6-31; thence**
- 6. Along tax map section 108.4-6-31, S. 27°-37'-46" W. 398.95' to a point in tax map section 108.4-6-32; thence**
- 7. Along tax map section 108.4-6-32, N. 89°-46'-15" W. 271.42' to a point in tax map section 108.4-6-28; thence**
- 8. Along tax map section 108.4-6-28, N. 06°-02'-45" E. 75.74' to a point in tax map section 108.4-6-28; thence**
- 9. Continuing along tax map section 108.4-6-28 and along tax map section 108.4-6-27, N. 09°-23'-43" E. 122.58' to a point in tax map section 108.4-6-27; thence**
- 10. Along tax maps section 108.4-6-27 and along tax map section 108.4-6-68, N. 09°-55'-47" E. 202.57' to a point in tax map section 108.4-6-68; thence**
- 11. Along tax map section 108.4-6-68, N. 04°-22'-40" E. 93.78' to a point in Lot 6A; thence**

**N & A Development Corp.**

**Page 2**

- 12. Along Lot 6A, N. 05°-46'-26" E. 89.48' to a point in Lot 6A; thence**
- 13. Continuing along Lot 6A, N. 84°-13'-34" W. 126.41' to a point on the southeasterly side of Summit Drive; thence**
- 14. Along the southeasterly side of Summit Drive, on a curve to the left, having a radius of 65.00', an arc length of 55.32', and a central angle of 48°-46'-01", and a chord of 53.67', on a course of N. 27°-05'-02" E. to the BEGINNING POINT.**

**CONTAINING: 7.323 Acres**

**REFERENCE:**

**Being a portion of Lot 6 on map entitled, "Lands of Galella Summit Estates"  
Filed in the Ulster County Clerk's Office September 21, 2010; Map No. 04-1380A  
Deed Liber 3890 Page 245;**

**Being Lot 3 on map entitled, "Final Plan Subdivision for Porretto"  
Filed in the Ulster County Clerk's Office December 2, 2009; Map No. 09-304  
Deed Liber 4388 Page 206;**