

Town of Marlborough Planning Board Application

Application For: (Check One)

Subdivision _____ **Lot Line (3 plus lots)** _____

Application Number: _____

Date of Submission: _____

Name of Project: _____

Location of Project: _____

Tax Section Block and Lot: _____

Zoning District: _____

Number of Acres: _____ Sq. Footage of Building: _____

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

EMAIL: _____

Name of Property Owner: _____

Address of Property Owner: _____

Telephone Number of Property Owner: _____

Name of Applicant: _____

Address of Applicant: _____

Telephone Number of Applicant: _____

Name of Surveyor: _____

Address of Surveyor: _____

Telephone Number of Surveyor: _____

Name of Engineer: _____

Address of Engineer: _____

Telephone Number of Engineer _____

Name of Attorney: _____

Address of Attorney: _____

Telephone Number of Attorney: _____

Reason For Application: _____

Description of Proposal: _____

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 this completed application, 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

Stamp

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, _____, residing at _____,
_____, make the following statements about interests in the
real property which is the subject of this application, petition or request for a _____
_____, before the _____
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: _____

ACKNOWLEDGMENT

State of New York
County of:

On _____, before me 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 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

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	\$1,000.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$1,000.00, plus \$100.00 per Unit
Commercial Subdivision	\$1,000.00, plus \$200.00 per Lot or Unit
Commercial Site Plan	\$2,000.00, plus \$10.00 per 1,000 Sf of Bldg.
Minor Site Plan (Short Term Rental, Home Occupation, Bed & Breakfast)	\$500.00
For Minor Site Plans contact the Building Department for safety inspection, permit and other applicable fees	
All other Site Plans Reviews	\$1,000.00
Simple 2 Lot Line Revision	\$1,000.00
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 Fees: (Escrow is to cover the cost of the attorney, engineer, stenographer and any additional consultants needed.
Escrow is to be replenished to 100% of the original escrow when level drops to 25% remaining in account.)

Residential Subdivision – Single Family or Town House	\$2,500.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$2,500.00, plus \$100.00 per Unit
Commercial Subdivision	\$2,500.00 per lot (up to 4 lots) \$200.00 Per Lot Thereafter
Commercial Site Plan	\$3,000.00 Minimum
Minor Site Plan (Short Term Rental, Home Occupation, Bed & Breakfast)	\$1,500.00 Minimum
For Minor Site Plans contact the Building Department for safety inspection, permit and other applicable fees	
All other Site Plans Reviews	\$2,000.00 Minimum
Simple 2 Lot Line Revision	\$2,000.00 Minimum
Preliminary Conceptual Site Plan	\$500.00

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): _____

Applicant's Signature: _____

Date: _____

*****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

LOCAL WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

99 Attachment 1

Town of Marlborough Local Waterfront Revitalization Program Waterfront Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. Applicants, or in the case of direct actions, the Town of Marlborough responsible agency, shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the Town of Marlborough Waterfront Revitalization Program (LWRP) Consistency Review Law. This assessment is intended to supplement other information used by the designated Town of Marlborough agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
2. Before answering the questions in Section C, the preparer of this form should review the policies summarized in the LWRP Consistency Review Law for Unlisted Actions and for Type I Actions, explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), copies of which are on file in the Town Clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.
3. If any questions in Section C on this form are answered "yes", then the proposed action may affect the achievement of the LWRP policy standards contained in the LWRP consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination regarding its consistency with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Name of applicant and Name of Contact Person: _____
2. Title/Description of Proposed Action: _____

3. Type of agency action (check all appropriate response(s)):
 - ☐ Directly undertake (e.g. capital construction, adoption of plan or local law, land transaction).
 - ☐ Fund (e.g. grant, bond, expenditure).
 - ☐ Permit, approve, license, certify.
4. Type of Approval Action Requested (check all that apply)
 - ☐ Site Plan Approval ☐ Variance ☐ Rezoning ☐ Building Permit

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☐ Subdivision ☐ Special Use Permit ☐ Other

5. Attach Long or Short Environmental Assessment Form or for review under a Draft or Final Environmental Impact Statement, address therein the requirements of the town waterfront consistency law including the information required in this form.
6. Will the action be directly undertaken, require funding, or approval by a state or federal agency?
Yes _____ No _____ If yes, which agency(ies) (list) _____
- C. WATERFRONT ASSESSMENT - NOTE — IT IS ONLY NECESSARY TO ANSWER THE FOLLOWING QUESTIONS TO SUPPLEMENT THE INFORMATION PROVIDED IN A SHORT ENVIRONMENTAL ASSESSMENT FORM. OTHERWISE, TO REDUCE PAPERWORK, THE AGENCY SHALL RELY ON THE INFORMATION PROVIDED IN THE LONG FORM EAF OR DRAFT EIS, AS APPLICABLE TO CONDUCT THE WATERFRONT CONSISTENCY REVIEW.

(Mark either Y for "Yes" or N for "No" for each of the following questions):

1. Will the proposed action have a significant effect upon:
- (a) Commercial or recreational use of fish and wildlife resources? _____
 - (b) Scenic quality of the waterfront environment? _____
 - (c) Development of future, or existing water-dependent uses? _____
 - (d) Stability of the shoreline? _____
 - (e) Surface or groundwater quality? _____
 - (f) Existing or potential public recreation opportunities? _____
2. Will the proposed action involve or result in any of the following:
- (a) Physical alteration of land along the shoreline, land under water or waterways?

 - (b) Physical alteration of five acres or more of land located elsewhere in the waterfront area? _____
 - (c) Energy facility not subject to Article VII or VIII of the Public Service Law?

 - (d) Mining, excavation, filling or dredging? _____

LOCAL WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

- (f) Reduction of existing or potential public access to or along the shore?

 - (g) Sale or change in use of publicly-owned lands located on the shoreline?

 - (h) Change to a natural feature that provides protection against flooding or erosion?

 - (i) Remove any mature forest (over 100 years old) or other locally important vegetation? _____
 - (j) Transport, storage, treatment or disposal of solid waste or hazardous materials?

 - (k) Shipment or storage of petroleum products? _____
 - (l) Will the project affect any area designated as a tidal or freshwater wetland?

 - (m) Will the project alter drainage flow, patterns or surface water runoff on or from the site? _____
 - (n) Will best management practices be utilized to control stormwater runoff into waterfront waters? _____
3. Answer the following only if a project is to be located adjacent to shore:
- (a) Will water-related recreation be provided? _____
 - (b) Will public access to the foreshore be provided? _____
 - (c) Does the project require a waterfront site? _____
 - (d) Will it supplant a recreational or maritime use? _____
 - (e) Do essential public services and facilities presently exist at or near the site?

4. Answer the following questions only if the project site is publicly owned:
- (a) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities? _____
 - (b) Will it involve the siting and construction of major energy facilities?

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- (c) Will it involve the discharge of effluents from major steam electric generating or industrial facilities into waterfront facilities? _____
- (d) Is the project site presently used by the community neighborhood as an open space or recreation area? _____
- (e) Does the present site offer or include scenic views or vistas known to be important to the community? _____

D. REMARKS OR ADDITIONAL INFORMATION: (Add any additional sheets to complete this form.)

If assistance or further information is needed to complete this form, please contact Town of Marlborough Code Enforcement Officer at tcorcoran@marlboroughny.us or call 845-795-2406 Ext. 7

Preparer's Name: _____

Title: _____ Agency:) _____

Telephone Number: () _____ Email: _____

Date: _____