

WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
MAY 27, 2025 7:00 PM
MINUTES OF MEETING

Present: Supervisor Corcoran
Councilman Zambito
Councilwoman Sessa
Councilman Cauchi

Also Present: Danielle Cherubini, Deputy Town Clerk
Amanda Meyer, Deputy Town Clerk
Arlette Zambito, Recreation Committee Chair
Mici Simonofsky, CAC Chair
Manette Bowman, Resident
Linda Cool, Resident

Absent: Councilman Molinelli

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

Councilwoman Sessa made a motion to approve the agenda. Motion seconded by Councilman Zambito.

Yeas: 4 Nays: 0 Carried

ITEM #4 Motion to approve minutes from the May 12, 2025 Town Board Meeting

Councilwoman Sessa made a motion to approve minutes from the May 12, 2025 Town Board Meeting. Motion seconded by Councilman Zambito.

Yeas: 4 Nays: 0 Carried

ITEM #5 Authorize payments of bills-**\$166,944.14**

Councilman Cauchi made a motion to authorize payment of the abstract in the amount of \$166,944.14. Motion seconded by Councilwoman Sessa.

Yeas: 4 Nays: 0 Carried

ITEM #6 Supervisor Updates

Supervisor Corcoran reported the following items:

The Highway Department project is just about finished. The landscaping and blacktop are the only items left to do. Blacktop will depend on the availability of funds and may need to be done next year.

The cruise ships will be docking soon. Councilman Zambito has been getting the landing ready and also personally working on the walkway that washed away and it looks great.

Councilman Zambito added that the original contractor didn't do the job correctly and the engineers signed off on it. They asked the contractor to come back, he refused and wanted too much money to fix it. All three sets of granite steps were fixed. He explained the process of how he did it. Riprap rock was added along the sides so the water won't erode the embankments. It needed repair so it looks good but mainly so no one gets hurt. Councilman Cauchi thanked him for his volunteer service.

There was a brief discussion about the cruise ship schedule.

Supervisor Corcoran stated that the Dockside developers, the Falcon and the Ttown are working on the plan for parking for the Dockside project. The Highland Solar PILOT agreement was passed a few weeks ago and, on this agenda, there is a resolution to fix the price of a performance bond.

ITEM #7 Presentations

No presentations.

ITEM #8 Comments on the agenda

No comments on the agenda.

ITEM #9 Reports of Committees

Supervisor Corcoran stated that the Recreation Committee, American Legion and Highway Department did an outstanding job with the Memorial Day Parade. Legislator Tom Corcoran organized the Hometown Heros banners again and there were an additional 28 this year. There are a total of 170 now.

Arlette Zambito reported that the Recreation Committee in collaboration with the Viebey-Sutton Post 124 American Legion and the Town of Marlborough Highway Department had a very successful Memorial Day Parade. There were almost 40 organizations and over 60 vehicles that participated and they hope to grow in the future. There was a ceremony at the end, some of the attendees were mentioned. The Committee held their Spring Fling Fundraiser to raise funds for flowers that have been planted around town. The concert dates are July 11th, July 18th, July 25th, and August 1st and there will be openers and headliners at each concert as well as food and dessert trucks.

Councilman Cauchi and Councilwoman Sessa commended the parties who put on the parade. Councilwoman Sessa said it was a long parade and especially liked the live band on the Recreation Committee float.

Mici Simonofsky read the CAC report which is incorporated into the minutes as follows:

CONSERVATION ADVISORY COMMITTEE
REPORT TO TOWN BOARD
May 29, 2025

The CAC continues to collate our facts and figures to see if we have earned enough credits for bronze certification. If we don't meet the July 15 deadline to apply for that, we will continue throughout the summer to earn more points.

We are pleased to know that the Marlborough Central School District considered placing an EV charging station on one of the school properties, although it is questionable at this time that this will occur.

We are looking forward to working on promoting Solar Community outreach once the Nexamp project begins.

Members are also following the plans for Orchards on Hudson with hopes that traffic congestion on 9W will be adequately addressed before final approval for the development occurs. Attention to pedestrian access and municipal parking for hamlet businesses should also be given due consideration. It is our hope that a full Environmental Impact Study be conducted to give the public and the Planning Board adequate time and information to come to agreements for a development that will serve all the needs of the Town for decades to come. To reiterate our concern as noted in our April 21 letter to the Planning Board, "This project has many positive aspects, and we applaud them. However, its presence will create a permanent change to the quality and character of the hamlet. We only have one chance to provide guidance and prevention of long-term problems. "

Our next meeting will be held on Thursday, June 12 at 6:30 at the Community Center.

Respectfully submitted,
Mici Simonofsky, Chair

Councilwoman Sessa reported that the Marketing Committee will be meeting on Tuesday, June 2, 2025 at 6:00 p.m. at the Community Center. Meet Me in Marlborough will join them to see if they can work together.

Supervisor Corcoran stated that Meet Me in Marlborough had a successful Community Yard Sale. The apples for the Marlborough Arts Coalition apple parade need to be placed around town. He also commended the Recreation Committee for planting the flowers around town.

ITEM #10 New Business
Supervisor Corcoran stated that next month is pride month.

ITEM #11 Workshop topics

A). Open Board discussion

Supervisor Corcoran reported the additional following items:

The Buckley Bridge will be getting repaired soon.

There was a well drilled at the ball fields at Cluett Shantz Memorial Park and a portable garage is going to be built. Four pickleball courts will be built by the pavilion.

At the Sands Avenue Park, the garage is being renovated (and a fence will be put around it) that is on the land that was donated by Mr. & Mrs. King. Councilman Zambito added that they are going to add a natural tree line along that property to mask an eyesore.

At the Milton Landing, the Town will be painting and staining the docks. The state is planning to place solar powered monitors/sensors in the water to gather information.

ITEM #12 Correspondence

Supervisor Corcoran read the following correspondence:

A letter from the President of the Down Syndrome Association of the Hudson Valley requesting permission to use the Cluett Schantz Memorial Park for their annual buddy walk fundraiser and to waive the fees for September 28, 2025.

Supervisor Corcoran made a motion to allow the Down Syndrome Association of the Hudson Valley use of the park and pavilion for their annual buddy walk on September 28, 2025 at no charge. Motion seconded by Councilman Zambito.

Yeas: 4 Nays: 0 Carried

A letter from the Treasurer of the Marlboro Touchdown Club requesting a donation of use of the Community Center for a pocketbook bingo fundraiser. The dates are flexible.

Supervisor Corcoran made a motion to allow the Marlboro Touchdown Club use of the Community Center at no charge with a clear understanding that Saturdays are not available. Motion seconded by Councilwoman Sessa.

Yeas: 4 Nays: 0 Carried

A letter from the Commander of the American Legion Post 124 requesting use of the pavilion at no charge on June 14, 2025 for the purpose of retiring flags.

Supervisor Corcoran made a motion to allow the American Legion Post 124 use of the pavilion at no charge on June 14, 2025 for the purpose of retiring flags. Motion seconded by Councilman Zambito.

Yeas: 4 Nays: 0 Carried

ITEM #13 Public Comment

Manette Bowman, resident, raised concerns again about live bands playing at a The Garage near her property as she did at a previous meeting. She explained an instance where the police officer should have taken a decibel reading but instead shut the band down. She expressed the need for

officers to conduct proper decibel readings to enforce noise regulations and her concerns about intimidation from police when calling to report violations.

Ms. Bowman, Supervisor Corcoran and Councilman Zambito had a discussion about decibel readings and enforcement, whether the business has the proper permits for live entertainment and about the venue's site plan with regard to entertainment. Supervisor Corcoran and Councilman Zambito will be following up with the police chief to get clearer answers on enforcement.

Linda Cool, resident and owner of the Danskammer House Bed & Breakfast commented on the ongoing noise from the live bands playing at The Garage. She stated that recent days have been quieter, prior disturbances have caused frustration among residents and businesses. It has, in the past been disruptive, reaching around 70 decibels inside homes. She also expressed concerns about occupancy and open containers outside of the venue.

It was agreed that keeping bands indoors with windows and doors closed will be fine to prevent noise from spreading.

Supervisor Corcoran explained how enforcement of local codes and regulations on outdoor entertainment remains complex and difficult. He added that a meeting is planned with business owners, the police chief, and the code enforcement officer to address these concerns.

ITEM #14 Resolutions

A). Resolution # 61 To accept the map and plan and fixing date of public hearing on proposed increase and improvement of facilities of the Hamlet of Marlborough sewer improvement area pursuant to town law section 202-b

B). Resolution # 62 To authorize a stormwater control facility maintenance agreement and fixing amount of performance bond

ITEM # 15 Adjournment

Councilman Cauchi made a motion to adjourn the meeting at 8:00 p.m. Motion seconded by Councilman Zambito.

Yeas: 4 Nays: 0 Carried

*Respectfully submitted,
Danielle Cherubini
Deputy Town Clerk*

May 27, 2025

A). Resolution # 61 To accept the map and plan and fixing date of public hearing on proposed increase and improvement of facilities of the Hamlet of Marlborough sewer improvement area pursuant to town law section 202-b

Supervisor Corcoran proposes the following:

WHEREAS, the Town Board of the Town of Marlborough (the “Town”) acts as Commissioners of the Hamlet of Marlborough Sewer Improvement Area; and

WHEREAS, the Town Board has received the map and plan prepared by Brinner and Larios, P.C. dated _____ (the “Map and Plan”), which describes the need for upgrades and expansions of the wastewater treatment facility (the “Project”) at an estimated cost of \$3,108,000, inclusive of design, engineering, and other professional fees (the "Cost Estimate"); and

WHEREAS, the plan to finance the costs of the Project is use funds made available to the Town pursuant to the American Rescue Plan Act in the aggregate amount of \$1,641,647, developer contributions in the amount of \$457,915.00, and the proceeds of obligations issued by the Town pursuant to the Local Finance Law in the amount of \$1,008,438.

NOW, IT IS HEREBY RESOLVED THAT:

1. The Map and Plan are hereby ratified and approved.
2. The Town Board will consider the Map and Plan, the Cost Estimate and the plan to finance Project costs for increase and improvement of the facilities of the Hamlet of Marlborough Sewer Improvement Area at a public hearing pursuant to Section 202-b of the Town Law.
3. The public hearing shall be held at Town Hall, 21 Milton Turnpike, Milton, New York, on the 9th day of June, 2025, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the Hamlet of

Marlborough Sewer Improvement Area in said Town, at an estimated cost of \$3,108,000.00 for upgrades and expansions of the wastewater treatment facility and related work, inclusive of design, engineering and other professional fees, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

4. The Town Clerk of the Town of Marlborough is hereby authorized to cause a notice of said public hearing to be published in the Southern Ulster Times, an official newspaper of said Town, and posted in the manner prescribed by law, which notice shall be given not less than 10 days, and not more than 20 days before the date of public hearing, in substantially the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Marlborough, Ulster County, New York, will meet at the Town Hall, 21 Milton Turnpike, Milton, New York, on the 9th day of June, 2025, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the Hamlet of Marlborough Sewer Improvement Area in said Town, at an estimated cost of \$3,108,000.00 for upgrades and expansions of the wastewater treatment facility and related work, inclusive of design, engineering and other professional fees, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Dated: Milton, New York
May 27, 2025

Colleen Corcoran,
Town Clerk


The foregoing resolutions were duly put to a vote which resulted as follows:

Councilperson Molinelli	Absent
Councilperson Cauchi	Yes
Councilperson Sessa	Yes
Councilperson Zambito	Yes
Supervisor Corcoran	Yes

Dated: Milton, New York
May 27, 2025

COUNTY OF ULSTER)

I, the undersigned Clerk of the Town of Marlborough, Ulster County, New York, DO HEREBY CERTIFY that on the 28 day of May, 2025, I duly caused a copy of the attached Notice of Public Hearing to be conspicuously posted on the sign-board maintained pursuant to Town Law section 30(6) located at the entrance of Town Hall, 21 Milton Turnpike, Suite 200, Milton, New York.


Colleen Corcoran, Town Clerk

Sworn to before me this
28 day of May, 2025

Danielle Ahern
Notary Public

DANIELLE CHERUBINI
Notary Public, State of New York
Qualified in Ulster County
No. 01CH6284534
Commission Expires June 17, 2025

[illegible]

I, the undersigned Clerk of the Town of Marlborough, Ulster County, New York, DO
HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the resolutions contained therein, held on the 27th day of May, 2025, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media	Date given
Southern Ulster Times	May 29, 2025

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location on the following date:

Designated Location of posted notice	Date of Posting
Bulletin Board at the entrance of Town Hall, 21 Milton Turnpike Milton, New York	May 28, 2025

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town
this 28th day of May, 2025

(CORPORATE SEAL)

Colleen Corcoran,
Town Clerk

14908587

dcherubini@marlboroughny.us

AFFIDAVIT OF PUBLICATION
Southern Ulster Times

State of New York,
County of, Ulster County,

The undersigned is the authorized designee of Southern Ulster Times, a Weekly Newspaper published in Ulster County, New York. I certify that the public notice, a printed copy of which is attached hereto, was printed and published in this newspaper on the following dates:

05/29/2025

This newspaper has been designated by the County Clerk of Ulster County, as a newspaper of record in this county, and as such, is eligible to publish such notices.

Christina Henke Rea

Signature

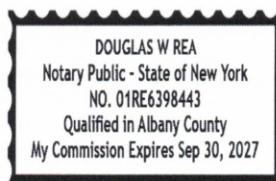
Christina Henke Rea

Printed Name

Subscribed and sworn to before me,

This 31 day of May 2025

Digitally signed
by douglas w rea
Date: 2025.05.31
20:16:34 +00:00



**TOWN OF MARLBOROUGH
PUBLIC NOTICE**

PLEASE TAKE NOTICE that the Town Board of the Town of Marlborough, Ulster County, New York, will meet at the Town Hall, 21 Milton Turnpike, Milton, New York, on the 9th day of June, 2025, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the Hamlet of Marlborough Sewer Improvement Area in said Town, at an estimated cost of \$3,108,000.00 for upgrades and expansions of the wastewater treatment facility and related work, inclusive of design, engineering and other professional fees, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Dated: Milton, New York May 27, 2025 Colleen Corcoran,
Town Clerk

May 27, 2025

B). Resolution # 62 To authorize a stormwater control facility maintenance agreement and fixing amount of performance bond

Supervisor Corcoran proposes the following:

WHEREAS, the Town of Marlborough Planning Board granted to Organic Valley, LLC, as the property owner, and Highland 201 Solar, LLC, as developer/applicant (“Highland 201 Solar”), special permit and site plan approvals for a project known as Highland 201 Solar at 206 Milton Turnpike in the Town of Marlborough, New York, Tax Parcel No. 95.4-3-7.210, 95.4-3-7.110, and 95.4-3-7.22 (the “Property”) for use as a ground-mounted, large-scale solar energy system pursuant to Section 155.32.2(B) of the Code of the Town of Marlborough (the “Project”) and, in connection therewith, has completed review of the Project under SEQRA; and

WHEREAS, as a condition of the special permit and site plan approvals (collectively, the “Approvals”), the Planning Board requires the execution and recording of a Stormwater Control Facilities Maintenance Agreement between the Town of Marlborough and the Highland 201 Solar in form and substance approved by the attorney to the Town (the “Agreement”); and

WHEREAS, Highland 201 Solar is the owner and operator of the stormwater management facilities and erosion and sediment control facilities (collectively, the “Facilities”) shown on the plans approved by the Planning Board and has agreed to sign the Agreement;

WHEREAS, the form of Agreement submitted has been reviewed and approved by the attorney to the Town; and

WHEREAS, as further conditions of the Approvals, Highland 201 Solar is required to deliver performance security securing the completion of the Facilities as mandated by Sections 135-11 and 135-12 of the Town Code in a form acceptable to the Town Engineer and Town Attorney; and

WHEREAS, an estimate of \$227,412.00 to complete the remaining portion of the Facilities has been provided by Highland 201 Solar’s engineer and approved by the Town Engineer;

NOW, THEREFORE IT IS RESOLVED, that the Town Supervisor is hereby authorized to execute the Agreement on behalf of the Town; and it is further

RESOLVED, that the amount of performance security for the completion the Facility is hereby set at \$227,412.00; and it is further

RESOLVED, that Highland 201 Solar be required to file with Town Clerk performance security in the form described in Section 135-11(B)(1) of the Town Code and approved by the attorney to the Town as to form, sufficiency and manner of execution.

The foregoing resolutions were duly put to a vote which resulted as follows:

Supervisor Corcoran	Yes
Councilperson Molinelli	Absent
Councilperson Cauchi	Yes
Councilperson Sessa	Yes
Councilperson Zambito	Yes

Dated: Milton, New York
May 27, 2025

Colleen Corcoran,
Town Clerk

Town of Marlborough

Tax Parcel No. 95.4-3-7.210, 95.4-3-7.110, and 95.4-3-7.22

TOWN OF Marlborough

Stormwater Control Facility Maintenance Agreement

THIS AGREEMENT is made this ____ day of 2025 by and between the TOWN OF MARLBOROUGH, having an address at 21 Milton Turnpike #200, Milton, NY 12547 ("Municipality"), and HIGHLAND 201 SOLAR LLC ("Highland 201 Solar"), having an address at c/o Nexamp, Inc., 101 Summer Street, 2nd Floor, Boston, Massachusetts 02110 (the "Facility Owner").

Whereas, the Municipality and the Facility Owner want to enter into an agreement to provide for the long term maintenance and continuation of stormwater control measures approved by the Municipality for the below named project; and

Whereas, Highland 201 Solar leases certain real property located in the Town of Marlborough, Tax Parcel No. 95.4-3-7.210, 95.4-3-7.110, and 95.4-3-7.22, (the "Property") more particularly described in Schedule "A" attached hereto and made a part hereof ("Lease Area") pursuant to an Option and Ground Lease between Organic Valley LLC and Carson Power LLC (predecessor in interest to the Facility Owner) dated 29 November 2023, as amended and assigned from time to time (collectively, the "Highland 201 Solar Lease"); and

Whereas, the Municipality and the Facility Owner desire that the stormwater control measures be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components.

Now, therefore, the Municipality and the Facility Owner agree as follows:

1. This agreement binds the Municipality and the Facility Owner, its successors and assigns to the maintenance provisions depicted in the approved project plans and Stormwater Pollution Prevention Plan dated 21 November 2024 (the "SWPPP") which are on file with the Municipality's Stormwater Management Officer. The Facility Owner shall complete the stormwater control measures within 3 years of the stamping of the approved project plans by the Planning Board Chairman. The stormwater control measures shall be deemed completed when they have been accepted by the Town Engineer and when as built plans of the facilities satisfactory to the Town Engineer have been submitted.
2. The Facility Owner shall maintain, clean, repair, replace and continue the stormwater control measures depicted on the approved project plans for the Facility known Highland 201

Solar on and about the Property, as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices and retention ponds and other stormwater practices identified in the SWPPP approved by the Municipality on 7 January 2025.

3. The Facility Owner shall be responsible for all expenses related to the maintenance of the stormwater control measures.

4. The Facility Owner shall provide for the periodic inspection of the stormwater control measures, not less than once a year, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Municipality within 30 days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.

5. The Facility Owner shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with the prior written approval of the Municipality.

6. The Facility Owner shall undertake necessary maintenance, repairs and replacement of the stormwater control measures at the direction of the Municipality or in accordance with the recommendations of the inspecting engineer.

7. The Facility Owner shall provide to the Municipality within 30 days of the date of this agreement, such security for the maintenance and continuation of the stormwater control measures as the Municipality may have required in its approval in the form acceptable to the Town Engineer and Town Attorney (a bond, letter of credit or escrow account).

8. This agreement shall be recorded in the Office of the County Clerk, County of Ulster and shall be included in any offering plan and/or prospectus or lease. All rights, title and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

9. If ever the Municipality determines that the Facility Owner has failed to construct or maintain the stormwater control measures in accordance with the project plans or has failed to undertake corrective action specified by the Municipality or by the inspecting engineer, the Municipality is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as a lien against the Property. The Facility Owner shall reimburse the Municipality for all

SCHEDULE "A"

(Lease Area)

DESCRIPTION

Lease Area 1

All that tract or parcel of land being Lease Area 1, situate in the Town of Marlborough, County of Ulster and State of New York; being bounded and described as follows:

Beginning at a point on the westerly bounds of lands of Moriarty Services, Inc. (L 5485, P 282), said point being North 21°27'26" East a distance of 372.02 feet from the northeast corner of lands of Theresa Corso and Robert Corso (L 1405, P 788); running thence along the bounds of Lease Area 1 through the lands of Organic Valley, LLC (L 5711, P 157) the following twenty-nine courses and distances;

- 1) North 90°00'00" West 130.89 feet;
- 2) South 21°27'26" West 329.32 feet;
- 3) North 78°02'38" West 121.29 feet;
- 4) North 59°57'07" West 47.88 feet;
- 5) North 15°03'49" East 129.80 feet;
- 6) North 69°47'27" West 257.15 feet;
- 7) North 17°42'44" East 319.38 feet;
- 8) North 72°17'16" West 50.00 feet;
- 9) South 17°42'44" West 276.46 feet;
- 10) North 70°23'55" West 114.07 feet;
- 11) North 17°20'33" West 112.39 feet;
- 12) North 31°03'29" East 137.50 feet;
- 13) North 26°22'04" East 38.50 feet;
- 14) North 59°14'22" East 62.46 feet;

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- 15) North 00°00'00" West 34.19 feet;
- 16) North 90°00'00" East 208.27 feet;
- 17) North 52°38'13" East 28.70 feet;
- 18) North 00°00'00" West 125.45 feet;
- 19) North 44°53'54" East 174.85 feet;
- 20) North 90°00'00" East 63.59 feet;
- 21) North 46°23'13" East 40.77 feet;
- 22) North 26°00'32" East 74.48 feet;
- 23) North 59°19'32" East 118.81 feet;
- 24) South 75°16'53" East 7.54 feet;
- 25) North 65°46'08" East 48.25 feet;
- 26) North 78°30'23" East 76.27 feet;
- 27) North 59°23'29" East 47.35 feet;
- 28) North 51°05'13" East 55.14 feet;
- 29) South 41°19'30" East 224.49 feet;

to a point on the westerly bounds of lands of Moriarty Services, Inc. (L 5485, P 282); running thence southwesterly along the westerly bounds of said lands of Moriarty Services, Inc. (L 5485, P 282) the following two courses and distances;

- 1) South 21°58'42" West 362.50 feet;
- 2) South 21°27'26" West 415.10 feet;

to the point of beginning. Containing 13.927 acres of land. Bearings refer to True North at 74°30' West Longitude.

For details of monumentation and other evidence reference is hereby made to a map entitled "Pre-Construction Overlay Survey of a Portion of Premises of Organic Valley, LLC...", dated May 1, 2025 prepared by Lawson Surveying and Mapping, Oneonta, N.Y.

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Lease Area 2

All that tract or parcel of land being Lease Area 2, situate in the Town of Marlborough, County of Ulster and State of New York; being bounded and described as follows:

Beginning at the northwest corner of Lease Area 2, said point being North 74°00'18" West a distance of 190.06 feet from the southwest corner of lands of James J. Mannese and Bridget L. Mannese (L 5608, P 168); running thence along the bounds of said Lease Area 2 through the lands of Organic Valley, LLC (L 5711, P 157) the following thirtyfive courses and distances;

- | | |
|-----------------------|--------------|
| 1) South 61°53'54" E | 706.93 feet; |
| 2) South 29°51'12" E | 69.51 feet; |
| 3) South 16°41'01" W | 131.85 feet; |
| 4) South 00°20'16" W | 28.44 feet; |
| 5) South 50°42'49" E | 46.00 feet; |
| 6) South 45°45'46" W | 37.55 feet; |
| 7) South 30°37'02" W | 79.07 feet; |
| 8) South 06°21'31" W | 83.48 feet; |
| 9) South 42°17'57" W | 59.58 feet; |
| 10) South 63°14'03" W | 89.23 feet; |
| 11) South 50°38'28" W | 119.66 feet; |
| 12) South 83°20'15" W | 62.84 feet; |
| 13) South 68°20'11" W | 81.74 feet; |
| 14) North 22°00'05" W | 90.17 feet; |
| 15) North 90°00'00" W | 145.60 feet; |
| 16) South 56°27'03" W | 88.80 feet; |
| 17) North 84°04'47" W | 89.86 feet; |
| 18) North 73°32'09" W | 32.32 feet; |

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- 19) North 23°54'02" W 103.58 feet;
- 20) South 34°39'50" W 20.61 feet;
- 21) South 06°33'54" E 31.35 feet;
- 22) South 47°35'13" W 27.25 feet;
- 23) South 01°48'21" E 138.29 feet;
- 24) South 37°32'42" E 95.84 feet;
- 25) South 55°13'15" W 16.88 feet;
- 26) North 38°07'38" W 91.55 feet;
- 27) South 25°30'44" W 35.19 feet;
- 28) North 00°49'34" W 148.62 feet;
- 29) North 09°11'28" E 53.16 feet;
- 30) North 16°27'48" E 45.69 feet to the point of curvature;
- 31) on a tangent curve turning to the right with an arc length of 47.90 feet, a radius of 35.00 feet and a Delta angle of 78°24'50" to a point;
- 32) North 16°27'30" E 20.71 feet;
- 33) North 28°33'32" W 53.67 feet;
- 34) North 16°27'51" E 314.93 feet;
- 35) North 15°11'05" E 430.50 feet;

to the point of beginning. Containing 12.588 acres of land. Bearings refer to True North at 74°30" West Longitude.

For details of monumentation and other evidence reference is hereby made to a map entitled "Pre-Construction Overlay Survey of a Portion of Premises of Organic Valley, LLC...", dated May 1, 2025 prepared by Lawson Surveying and Mapping, Oneonta, N.Y.

Lease Area 3

All that tract or parcel of land being Lease Area 3, situate in the Town of Marlborough, County of

Ulster and State of New York; being bounded and described as follows:

Beginning at a point on the northerly bounds of Milton Turnpike, said point being the following two courses and distances from the southeast corner of lands of Hudson Valley Domicile, LLC (L 3016, P 219);

- 1) South 68°40'52" East 91.63 feet;
- 2) South 66°33'33" East 135.24 feet;

running thence along the bounds of Lease Area 3 through the lands of Organic Valley, LLC (L 5711, P 157) the following thirteen courses and distances;

- 1) North 06°42'38" East 58.05 feet;
- 2) North 71°26'11" West 18.68 feet;
- 3) North 18°25'30" East 159.11 feet;
- 4) North 76°02'42" East 32.28 feet;
- 5) North 10°38'07" East 48.69 feet;
- 6) North 30°40'05" East 248.63 feet;
- 7) North 27°01'00" East 145.41 feet;
- 8) South 88°27'28" East 42.94 feet;
- 9) South 26°46'10" West 121.10 feet;
- 10) South 31°08'29" West 188.04 feet;
- 11) South 25°14'14" West 88.76 feet;
- 12) South 20°29'31" West 151.15 feet;
- 13) South 26°03'23" West 140.62 feet;

to a point on the aforementioned northerly bounds of Milton Turnpike; running thence North 66°33'33" West along said northerly bounds of Milton Turnpike a distance of 12.15 feet to the point of beginning. Containing 0.658 acres of land. Bearings refer to True North at 74°30' West Longitude.

For details of monumentation and other evidence reference is hereby made to a map entitled "Pre-Construction Overlay Survey of a Portion of Premises of Organic Valley, LLC...", dated May 1, 2025 prepared by Lawson Surveying and Mapping, Oneonta, N.Y.