

**Town of Marlborough Planning Board  
Preliminary Conceptual Application**

Application #

Please refer to the Town of Marlborough Town Code Section 155-31 <https://www.ecode360.com/8667578> to review all relevant local legislation with regards to Site Plan Review. Applicants may skip to professionally done Site Plan Application.

Please refer to Town of Marlborough Route 9W Corridor Building and Site Design Guidelines for New Commercial Construction and Rehabilitation of Existing Buildings.

<https://www.townofmarlboroughny.org/DocumentCenter/View/2891/Route-9W-Corridor-Building-and-Site-Design-Guidelines>

Failure to accurately complete this application in its entirety may result in delays and additional review costs.

|   |                                       |
|---|---------------------------------------|
| Date of Initial Submission and Latest Revision  |                                       |
| Name of Project   | 39-41 Old County Rd                   |
| Address of Project  | 39-41 Old County Road Milton NY 12547 |
| Tax Section, Block, and Lot Number  | 103.1-4-53                            |
| Zoning District   | R1-Residential 1                      |
| Number of Acres see:<br><a href="https://ulstercountyny.gov/maps/parcel-viewer/">https://ulstercountyny.gov/maps/parcel-viewer/</a>   | 4.26 Acres                            |
| Square Footage of Each Building   | 3196 sq Ft and 5700 sq ft             |
| Reason For Application:<br>Seeking to subdivide existing single lot of 4.26 acres into one 2.76 acre lot and one 1.5 acre lot.<br>Want to have a workshop with the city to see what is feasible                   |                                       |
| Description of Proposal 155-31 E (3) (a):<br>Seeking to subdivide existing single lot of 4.26 acres into one 2.76 acre lot and one 1.5 acre lot.<br>Want to have a workshop with the city to see what is feasible |                                       |

|   |  |
|---|--|
| CONTACT INFORMATION where applicable          |  |
| Name of Property Owner                        | 39 Old County LLC - Eli Vaknin               |
| Address of Property Owner                     | 268-270 Windsor Highway New Windsor NY 12553 |
| Telephone Number of Property Owner:           | 845-423-9510                                 |
| Email of Property Owner                       | evaknin395@gmail.com                         |
| Name of Applicant                             | 39 Old County LLC - Eli Vaknin               |
| Address of Applicant                          | 268-270 Windsor Highway New Windsor NY 12553 |
| Telephone Number of Applicant                 | 845-423-9510                                 |
| Email Address of Applicant                    | evaknin395@gmail.com                         |
| Name of Surveyor                              | Joseph Rappa Jr - Boundary Benchmark         |
| Address of Surveyor                           | 14 Bona Ventura ave wallkill ny12589         |
| Telephone Number of Surveyor                  | 845 802-3687                                 |
| Email Address of Surveyor                     | sales@Boundaryandbenchamark.com              |
| Name of Engineer                              |  |
| Address of Engineer                           |  |
| Telephone Number of Engineer                  |  |
| Email Address of Engineer                     |  |
| Name of Attorney                              |  |
| Address of Attorney                           |  |
| Telephone Number of Attorney                  |  |
| Email Address of Attorney                     |  |
| Name & Profession of Other Involved Personnel |  |
| Address of Other Involved Personnel           |  |
| Telephone Number of Other Involved Personnel  |  |
| Email of Other Involved Personnel             |  |

## Town of Marlborough Planning Board

### Conceptual Plan Checklist

Please refer to the Town of Marlborough Town Code Section 155-31 D <https://www.ecode360.com/8667578> to review all relevant local legislation with regards to Conceptual Site Plan Review.

Failure to accurately complete this Checklist in its entirety may result in delays and additional review costs. Applicants may go directly to the professionally completed Site Plan check list.

| Y / N    | Required Items To Be Submitted   |
|----------|--|
|          | <small>*Submit 10 copies of this completed application, maps and plans*</small>  |
| 1 ✓      | Conceptual Plan Application Checklist Complete pages 3 to 4.   |
| 2 ✓      | Letter of Agent Statement Page 10, Ethics code pages 5-7 if applicable.  |
| 3 ✓      | Disclaimer see page 9.   |
| 4 ✓      | Initial Escrow Fee Paid (Separate check from Application Fee) see page 8, also 155-31 J.   |
| 5 ✓      | Any waivers or deferred submission of concept plan information. (155-31 F).  |
| 6 ✓      | An area map and a high resolution aerial photograph keyed to the real property maps, showing the parcel under consideration and all properties, subdivisions, roads, and easements within 500 feet of the boundaries thereof. (NOTE: An example of an acceptable aerial photograph includes a photograph from Google Earth™ mapping service.) 155-31 D (1) (or Ulster County Parcel viewer Aerial <a href="https://ulstercountyny.gov/maps/parcel-viewer/">https://ulstercountyny.gov/maps/parcel-viewer/</a> ).                               |
| 7<br>N/A | A compilation of known environmental data in relation to the project site and in relation to property within 500 feet of the project site is included. The compilation shall consist of a narrative summarizing the known environmental data, and copies of any and all previous reports, studies, findings and documents, prepared by any person, consultant or agency. If the supporting reports, studies, findings and documents are in excess of 50 pages, it is preferred that this submission be made in digital form. See 155-31 D (3). |
|          | <b>SITE MAP</b>  |
| 8 ✓      | Site map depicts approximate location of lot lines and lot measurements. 155-31 D (2) (a) (b).   |
| 9 ✓      | Map of the site depicts existing and proposed streets, other access ways and site ingress and egress. 155-31 D (2) (c) (f).  |
| 10 ✓     | Map of the site depicts approximate location of proposed location of future roadway connections between the subject parcel and adjacent parcels. 155-31 D (2) (d) and 155-31 G (8) (b).  |
| 11 ✓     | Map of the site depicts location and dimensions of existing and proposed structures and paved areas 155-31 D (2) (e).  |
| 12 ✓     | Map depicting the approximate location of site topography. 155 D 2 (g).  |

|    |     |  |
|----|-----|--|
| 13 | N/A | Map of the site depicts significant natural and historic features, including floodplains, outcrops, soils, watercourses and water bodies, significant habitat areas, or known endangered species occurrences and wooded areas. In addition, agricultural districts, farm operations, sites nominated or on the state or national registers for historic places, sensitive archaeological areas, and coastal zone boundaries. 155-31 D (2) (h). |
| 14 | ✓   | Photographs of the site and buildings thereon are included. Encouraged by Planning Board. 155-31 D(2)(i).  |
| 15 | ✓   | A digital copy of the conceptual site plan is submitted in PDF format. 155-31 D (4).   |

**DISCLAIMER:** The Town of Marlborough does not provide legal, engineering, or other consulting advice to applicants or potential applicants. Such applicants must retain their own attorneys, engineers, and/or other consultants to obtain such advice. Any conceptual review provided by Town employees or representatives related to limited information in Conceptual Site Plan Packet is provided subject to review, comments, and decisions by the Planning Board as a whole and all the Planning Board's consultants after submission of a full site plan packet, supporting documents, revisions, and public review.

The proposed Concept plan has been prepared in accordance with this checklist.

By: El. Vakris

Date: 1/14/20

# 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: grandparents, parents, spouse, significant other, children, grandchildren, 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 **261 Liberty St. Newburgh NY 12550**, 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 an 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) 795-6167.**

**PLEASE TAKE NOTICE.....A KNOWINGLY FALSE STATEMENT IS PUNISHABLE UNDER N.Y. GEN. MUN. LAW ' 809 AS A MISDEMEANOR.**

Signed:  Date: 1/15/26

**ACKNOWLEDGMENT**

State of New York,  
County of:

On 1/15/26, before me personally appeared Eir Vaknin, 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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|  |   |
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| 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 |
|---|---------------------------------------|

## 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): Eli Vaknin

Applicant's Signature: 

Date: 1/14/26

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

**Town of Marlborough Planning Board  
Letter of Agent**

I (We), 39 Old County LLC am (are) the owner(s) of  
a parcel of land located  
on 39-41 Old County Road in the Town  
of Marlborough, Tax Map Designation: Section 103.1 Block 4 Lot 53.

I (We) hereby authorize Eli Vaknin 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 ☐ Minor Site Plan ☐ Lot Line Revision Application. (check one)

Signature: 

Date: 1/14/20


Signature: \_\_\_\_\_

Date: \_\_\_\_\_

State Of New York  
County of Orange

On the 14th day of January in the year 2020 before me, the undersigned, a Notary Public in and for said

State, personally appeared Eli Vaknin,  
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







# **SURVEY NOTES**

1. Copyright Bepko & Bennett Land Surveyors, P.C. All Rights Reserved. Reproduction or copying of this document may be a violation of copyright law unless permission of the author and / or copyright holder is obtained.
2. Unsubstantiated statement or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 1209, sub-section 3, of the New York State Education Law.
3. Only boundary survey maps with the surveyor's embossed or red inked seal are genuine, true and correct copies of the surveyor's original work and opinion. A copy of this document without a proper application of the surveyor's embossed or red inked seal should be assumed to be an unsubstantiated copy.
4. Certifications on this boundary survey map signify that the map was prepared in accordance with the current existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to persons for whom the boundary survey map is prepared, to the site compass, to the governmental agency, and to the leading institution listed on this boundary survey map.
5. The certification herein are not transferable.
6. The locations of underground improvements or encroachments are not always known and often must be estimated. If any underground improvements or encroachments exist or are shown, the improvements or encroachments are not covered by this certification.
7. Subject to the findings of a current title search.
8. Subject to easements, encumbrances, restrictions, conditions, and agreements of record & map.
9. Subject to any rights, title or interest the public may have for highway use.
10. Bearings and North-south lines are referenced to NAD 83/NTS East using Road-Town Electronic GPS observations.
11. Parcel area noted herein derived from both measured and record evidence.
12. Bearings and distances shown herein are for computational purposes only.

# **MAP REFERENCE**

Map entitled "Map of Survey for Michael Rodelli" prepared by Robert L. Campbell and dated June 29, 1988.  
 Map entitled "Map Prepared for Rosemary F. Dineen" prepared by Ray H. Paul and dated January 2, 1986.  
 Map entitled "Map Prepared for William C. Dineen, Jr. and Barbara A. Rodelli" prepared by Ray H. Paul and dated July 22, 1988.  
 As entitled map by J.A. Conklin C.E. and dated 1919 and filed in the Ulster County Clerk's Office in Liber 127 of Deeds at page 107.

# **IRON PIPE FOUND**



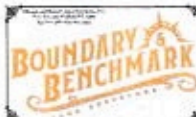
# **RIGHT-OF-WAY NOTES**

1. Liber 255 page 279 (Subplot chain of title states "These roads shown degrees corner line extension west line the center line of a new street about to be opened, two rods wide and the survey line of said Colburn's lot, to a stake in the corner of said new street, extending one rod of level. Exemplifying and reserving one of the above described lot a strip of land along and adjoining the easterly line of the same, its entire length, one rod wide for the sole purpose of a street or road".
2. Liber 255 page 280 (Subplot chain of title states "Beginning at a point in the center a new street which is two rods wide leading southwesterly from the Farmer's Turpentine past the residence of said Colburn" and "The above survey includes all of the lands of Mrs. Margaret S. Barrett adjoining the lands of said Colburn that in vicinity of said new street, the easterly line of said survey is intended as the center line of said street".
3. Liber 487 page 397 (Subplot chain of title states "Beginning at the south-west corner of the lot hereby intended to be granted and south-west corner of lands formerly of William Colburn now Martha Gayle and center of a road, shown easterly along the center of said road to the south-west corner of lands of James Beeson. The road herein mentioned to be used in common by all adjoining or abutting owners". This chain of title the road being used in common is located in Liber 482 page 216, Liber 483 page 219, and Liber 484 page 100.
4. Liber 1058 page 229 (Subplot chain of title states "which point is in the center of an abandoned road, running thence along the center of said abandoned road, the road herein mentioned to be used in common by all adjoining or abutting owners".
5. Liber 1153 page 5 (Subplot chain of title states "Subject to the rights of other adjoining property owners in use the road in common with all other adjoining owners". This is recited in Liber 1415 page 186.
6. The deeds mentioned above refer to a "street" or "road" or "right-of-way" the center line of which is described as being along the survey property line of the subject of this survey. In some cases it is described as a new street or road, possibly giving the impression of a public road. In other deeds, it is described as a right-of-way only to be used by adjoining properties. It is recommended that legal counsel be sought concerning the road, street, or right-of-way per the records aforementioned.
7. The road area depicts a 2 rod wide area offset from the easterly property line as per Liber 255 page 279, Liber 256 page 276, Liber 482 page 187, Liber 483 page 216, and Liber 1053 page 208, and is not to be construed as the existence of any right-of-way, public or private. It is recommended that legal counsel be sought concerning the road, street, or right-of-way per the records aforementioned.
8. This survey depicts a current recorded way that is not to be construed as physical evidence of a former road, street, or right-of-way.

# **DRIVEWAY EASEMENT NOTES**

1. Liber 8031 page 371 describes an easement over a portion of the subject property, for the purpose of ingress and egress over an existing driveway to the premises on Tax Parcel No. 103.1-4-53, beginning at the "southwest corner of lands conveyed to Michael A. Rodelli. So as recorded in Deed (Liber 1882 at page 25), and running thence along the westerly side of said Old Millers Turpentine, thence, running on a line five feet easterly of and parallel to the easterly side of said driveway... to a point on the westerly boundary of adjacent lands conveyed to Michael and Joseph Rodelli, thence along said lands, being the westerly boundary of the herein described easement".
2. These calls to the "southwest corner" the "southerly side of said Old Millers Turpentine", running on a line five feet easterly of and parallel to the easterly side of said driveway", and "along said lands, being the westerly boundary of the herein described easement" were held over the measurements provided in the easement description in this survey. The capped rebar found to be on the dividing line between the subject property and 103.1-4-52. This was a result of it's location not being corroborated by other, presumably, locally accepted record monuments.

SHEET  
1 OF 1



**SURVEY OF LANDS OF MARLOWE**  
 CERTIFIED TO MICHELLE MARLOWE & MICHAEL RODELLI  
 39-41 OLD COUNTY RD.  
 MILTON, NY 12547  
 TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK

**TAX PARCEL NO. 103.1-4-53**  
 LIBER 7219 PAGE 92  
 4.260 ACRES  
 PROJECT NO. 24-034  
 FIELD COMPLETION: 05-01-2024





House #1



House # 1



House # 2



House # 2



